

RICE CREEK WATERSHED DISTRICT

4325 Pheasant Ridge Dr. NE #611 • Blaine, MN 55449-4539

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www.ricecreek.org

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RCWD BOARD OF MANAGERS REGULAR MEETING AGENDA

Wednesday, March 27, 2013, 9:00 a.m.

Shoreview City Hall Council Chambers
4600 North Victoria Street, Shoreview, Minnesota

Agenda

- 1
- 2 **CALL TO ORDER**
- 3 **ROLL CALL**
- 4 **SETTING OF THE AGENDA**
- 5 **APPROVAL MARCH 11, 2013 WORKSHOP MINUTES**
- 6 **APPROVAL MARCH 12, 2013 ACD 10-22-32 PUBLIC HEARING MINUTES**
- 7 **APPROVAL MARCH 13, 2013 REGULAR BOARD MEETING MINUTES**
- 8 **CONSENT AGENDA**
- 9 The following items will be acted upon without discussion in accordance with the staff recommendation and
- 10 associated documentation unless a Manager or another interested person requests opportunity for discussion:
- 11

12 **Table of Contents**

13 **PERMIT APPLICATIONS REQUIRING BOARD ACTION**

14 No.	14 Applicant	14 Location	14 Plan Type	14 Recommendation
15 12-066	15 City of Shoreview	15 Shoreview	15 Street & Utility Plan	15 CAPROC 4 items
16 13-004	16 Dominion	16 St. Anthony	16 Final Site Drainage	16 CAPROC 8 items
17 13-005	17 Roseville Properties 18 Management Co.	17 Roseville	17 Final Site Drainage	17 CAPROC 8 items
19 13-012	19 White Bear Township	19 White Bear Township	19 Bridge/Culvert Crossing	19 CAPROC 4 items

BOARD OF MANAGERS

Barbara A. Haake
Ramsey County

Steven P. Wagamon
Anoka County

Harley M. Ogata
Ramsey County

Patricia L. Preiner
Anoka County

John J. Waller
Washington County

20 It was moved by Manager _____ and seconded by Manager _____, to approve the consent agenda as
 21 outlined in the above Table of Contents in accordance with RCWD District Engineer's Findings and Recommendations, dated
 22 March 8 & 20, 2013.

23 **OPEN MIKE**

24 Any RCWD resident may address the Board in his or her individual capacity, for up to three minutes, on any matter not on
 25 the agenda. Speakers are requested to come to the podium, state their name and address for the record. Additional
 26 comments may be solicited and accepted in writing. Generally, the Board of Managers will not take official action on items
 27 discussed at this time, but may refer the matter to staff for a future report or direct that the matter be scheduled on an
 28 upcoming agenda.

29 **ITEMS REQUIRING BOARD ACTION**

- 30 1. Consider Oneka Ridge Golf Course Project Easements. (Phil Belfiori)
- 31 2. Consider Resolution 2013-06 receiving the draft Anoka County Ditch 53-62 Repair Report.
 32 (Phil Belfiori)
- 33 3. Consider Resolution 2013-07 Adopting the Repair Area for the Repair of Anoka County Ditch
 34 10-22-32. (Phil Belfiori)
- 35 4. Consider Abatement from Anoka County Special Assessments Certified to Common
 36 Elements in Anoka County Ditch 10-22-32 and Bald Eagle Lake Water Management Districts.
 37 (Phil Belfiori)
- 38 5. Consider Staff's Finding of No Jurisdiction for Permit Application 13-013 for Adam Johnson's
 39 Proposed Construction of a Drawbridge in Lino Lakes. (Nick Tomczik, Chris Buntjer)
- 40 6. Consider Check Register dated 3/27/2013, in the amount of \$182,540.53 prepared by HLB
 41 Tautges Redpath.

42 **ITEMS FOR DISCUSSION AND INFORMATION**

- 43 1. Update on Forest Lake Athletic Association Scheduled Compliance Hearing for Permit 07-
 44 106. (Phil Belfiori)
- 45 2. Staff Report.
- 46 3. April Calendar.
- 47 4. Manager's Update.

48 **ADJOURNMENT**

49

APPROVAL MARCH 11, 2013 WORKSHOP MINUTES

Draft

For Consideration of Approval at the March 27, 2013 Board Meeting.
Use these minutes only for reference until that time.

RCWD BOARD OF MANAGERS WORKSHOP

Monday, March 11, 2013

Rice Creek Watershed District Conference Room
4325 Pheasant Ridge Drive NE, Suite 611
Blaine, MN 55449

1 The Board convened workshop at 3:30 p.m.

2 Attendance: –Board members, Patricia Preiner, Harley Ogata, John Waller, and Steve Wagamon.

3 Absent: Barbara Haake (with prior notice)

4 Others: Administrator Phil Belfiori; Office Manager Theresa Stasica; Public Drainage Inspector Tom Schmidt
5 (portion of meeting); Water Resource Specialist Kyle Axtell (portion of meeting); Technical Specialist/Permit
6 Reviewer Chris Buntjer (portion of meeting); Education, Outreach and Communication Coordinator (portion
7 of meeting), District Engineer Mark Deutschman– Houston Engineering (HEI); Barbara Haake monitoring
8 meeting via telephone.

9 ***Items for Discussion***

10 **Introduction and Education / Communication Program Discussion (Jessica Bromelkamp).**

11 Administrator Belfiori introduced the newly hired Education, Outreach and Communication Coordinator Jessica
12 Bromelkamp to the Board. She provided the Board with her professional background from the last 10 years. Ms.
13 Bromelkamp believed her position will be an integral part of all Board, staff, and CAC activities. At this time she
14 is becoming familiar with District projects and how she can provide outreach information to citizens, agencies,
15 and our partners. She has worked on provided articles to local papers regarding District activities, articles for city
16 newsletters, 2012 annual report, social media such as Facebook, updating the District’s website with staff,
17 working on organizing community events, and training.

18 Administrator Belfiori presented a District newsletter Ms. Bromelkamp developed for the Board to use at their
19 upcoming MAWD legislative reception. Ms. Bromelkamp replied she will be putting hardcopies of the
20 newsletters at city halls and providing an electronic version to a list they are compiling including cities
21 administrators, county commissioners, agencies and partners. She also asked the Board if there were any other
22 areas they would like to see her working on. President Preiner replied providing articles to local newspapers
23 regarding District projects and activities, so people become more familiar with what we do. Ms. Bromelkamp
24 agreed and she would be working with The Citizen newspaper to put together and article on the District’s Oneka
25 Ridge project. The managers agreed on that point.

26 **Discussion on Bid Strategy for the Anoka County Ditch 10-22-32 Repair.**

27 District Drainage Inspector, Administrator Belfiori and Engineer Deutschman informed the Board that after
28 conversations with staff and engineer’s they are recommending that given that this project contains multiple
29 types of maintenance to the ditch within the Reasonably Necessary Area, it would be beneficial to bid this
30 project in 2 or 3 different contracts. District Engineer Deutschman replied that the entire project would cost an
31 estimated \$250,000 which does not includes wetland mitigation. By splitting the maintenance into 2 or 3 bids,
32 the District can select the most appropriate contractor for that type of work. Because of the nature of the work-
33 there will have to be decisions made during work i.e. crossing to the other side of the ditch. The District would
34 like to lessen the risk of change orders. Each contract will be under \$100,000. Upon further discussion the Board
35 reached consensus that staff and Engineer should implement this recommended approach.

36 **Discussion on Determination of Reasonably Necessary Area for Construction-Preparation for 3/12/13**
37 **Public Hearing.**

38 Administrator Belfiori and District Engineer Deutschman reviewed the maps of the reasonable necessary area
39 with the Board. District Engineer Deutschman asked the Board how they would like to handle barb-wire fences.
40 His recommendation would be if they are located in the reasonable necessary area they would conduct
41 maintenance and then move the fence to the border of the reasonable necessary area. The Board by consensus
42 approved the recommendation.

43 **Discussion on "45-Day" Rule Revision.**

44 Administrator Belfiori reviewed the statement of need and reasonableness SONAR with the Board. In summary
45 revision are within the Stormwater Management Rule (Rule C), Wetland Alteration Rule (Rule F), Resource
46 Management Plan consolidation, Erosion Control Plans (Rule D), Floodplain Alteration, and the new Illicit
47 Discharge and Connection (Rule H) per MPCA requirement. They would like to start the 45-day review period
48 following approval by the Board at the 3/13/13 meeting. Comment deadline would be May 3, 2012 and the
49 public hearing would be scheduled for April 24, 2012 at 9 a.m. He asked the Board if they had any comments.

50 President Preiner questioned item (f) on page 47, where the District can request an applicant to conduct an
51 assessment of protected plant or animal species within the project site. What is the cost for this assessment?
52 Would it be a big burden to the applicant and how controlled was this request?.

53 District Engineer Deutschman replied that the District performed an assessment on an area on the upper branch
54 of ACD 10-22-32 and it cost around \$3,000. He replied there is an existing data base with high quality wetlands
55 but the information is not the very comprehensive. It is recorded when the plant or species is found.

56 Administrator Belfiori replied he would bring information to the 3/13/13 board meeting to address these
57 questions. He asked for Board consensus to bring forth the resolution at the 3/13/13 meeting to distribute the
58 proposed rule revision and start the 45-day review. The Board by consensus agreed.

59 **Project /Program Updates:**

60 **Possible Partnership/Agreement with DNR for Possible Raingarden Construction in City of Fridley**

61 Administrator Belfiori explained there was a train derailment of the BNSF bridge were fuel and corn where
62 dumped into Locke Lake. Per BNSF settlement, \$10,000 was given to the DNR for rehabilitation of the area. The
63 DNR contacted the District regarding a project. The District Southwest Urban Lakes study identified a location
64 Locke Lake #23 where a raingarden could be installed to help with phosphorus removal and rate control. The
65 raingarden would be located on the City of Fridley's property and they support the project. The DNR would
66 craft an agreement for the District to obtain the \$10,000. The District would be project manager of the project
67 and the City would be responsible for maintenance. By Board consensus, they agreed to have the Administrator
68 work with the DNR to craft an agreement and supervise the installation of the raingarden.

69 **Lexington Athletic Park Application**

70 Administrator Belfiori informed the Board that Blaine Council Member Russ Herbst had contacted two of the
71 Board Managers concerning this project 12-062R. The City would like to make ball fields where there is an
72 existing private ditch in the area. The District wrote a letter to the consultant and copied the city which
73 explained to alternatives for the city. He noted that the TEP went out and reviewed the project and they would
74 like to see additional soil borings. The District followed up the letter by contacting Jim Hafner at the City of
75 Blaine to review the two options.

76 Manager Wagamon replied he had spoken with Council Member Herbst and he was very appreciative of staffs
77 follow up.

78 **Draw Bridge Application near Otter Lake**

79 Administrator Belfiori gave background information to the Board regarding permit 13-013 to install a draw-
80 bridge. The applicant owns property on both sides of a channel that flows into Otter Lake. At this time he has
81 two small docks on either side but would like to add a drawbridge so he can get to the other side. The District
82 has received a complaint from a resident. This resident would like to attend the March 27, 2013 Board meeting
83 to give public testimony but they will not be able to make the meeting. They have asked the District to delay the
84 hearing of the permit so they can attend. President Preiner replied she didn't think it was fair for the applicant
85 to have to wait because of someone else's schedule. Manager Ogata asked if the District could ask the applicant
86 if he would be agreeable to move the permit to a later meeting. Manager Waller agreed that it was important to
87 hear all sides but it was also important that the District take action within 60-days. The Board by consensus
88 directed staff to contact the applicant to see if he would extend his permit application an additional 60-days so
89 the resident could attend the meeting. If he could not, the permit would remain on the March 27, 2013 agenda.

90 **Water Management District and Water Quality Projects –Follow-up from Board Meeting.**

91 Administrator Belfiori and District Engineer Deutschman reviewed the Southwest WMD and Huron Lake water
92 management plan WMD sections found in the agenda packet materials. They informed the Board that they had
93 not been utilized at this time. The Board discussed the different methods that could be used for WMD
94 designation such as phosphorus loads, subwatersheds, riparian or benefitted landowners. District Engineer
95 Deutschman recommended inviting Mr. Jim Haertel of the Board of Water and Soil Resources to discuss this
96 issue. He is very knowledgeable and can give direction to the Board regarding WMD. The Board reached
97 consensus that the Administrator will schedule Mr. Haertel to attend a future workshop.

98 The Workshop was adjourned at 5:18 p.m.

99

100

**APPROVAL MARCH 12, 2013 ACD 10-22-32
PUBLIC HEARING MINUTES**

DRAFT

Consideration of Approval at the March 27, 2013 Board Meeting.
Use these minutes only for reference until that time.

RCWD BOARD OF MANAGERS ACD 10-22-32 REPAIR REPORT PUBLIC HEARING

Tuesday, March 12, 2013

Lino Lakes City Council Chambers
600 Town Center Parkway, Lino Lakes, Minnesota

Minutes

ROLL CALL

Present: President Patricia Preiner, 1st Vice-Pres. Barbara Haake, 2nd Vice Pres. John Waller (arrived at 6:36 p.m.), Secretary Harley Ogata, and Treasurer Steve Wagamon.

Absent: None.

Staff Present: Administrator Phil Belfiori, Office Manager Theresa Stasica, Public Drainage Inspector Tom Schmidt.

Consultants: District Engineers Mark Deutschman and Chris Otterness, Houston Engineering, Inc. (HEI); District Drainage Attorney John Kolb.

Visitors: Richard Matzke, Dick Nordquist, Todd Gause, Butch Robinson, Paige Hanson Berouer, Sugar Martin, Wayne Martin, Rick Deutsch, Bob Mozen, Al Mozen, Bill Picha, Bernadine Skoglund, Doug Malsom, Gary Kirchner, Perry Wagamon, Al Robinson, Willie and Shirley Davis, Steven Engelhardt, Dave Rydeen, Thomas Schmelzer, Nicholas Nelson, Jim Obowa, Marlene Moulton Janssen.

CALL TO ORDER

President Preiner called the meeting to order, a quorum being present, at 6:30 p.m.

PUBLIC HEARING: REPAIR REPORT FOR ANOKA COUNTY DITCH 10-22-32 LOCATED IN PORTIONS OF THE CITIES OF LINO LAKES AND COLUMBUS

President Preiner welcomed everyone to the hearing.

She stated under consideration was the designation of a repair area for Anoka County Ditch 10-22-32. The purpose of this hearing was to receive comments from the public on the District's proposed designation of the areas adjacent to the drainage system that were reasonably necessary to be occupied and effected in order for the Drainage Authority to carry out its statutory repair obligations.

She indicated that to facilitate comments made at the hearing, mailed notice was given to the owners of all properties directly impacted by the repair of the drainage system. The direct notice included a copy of a map indicating the portion of each property within repair activities, including equipment operation, tree removal and spoil disposal, which would occur. General notice of the proceedings was provided to each owner within the drainage area of the drainage system and a published notice was given to the general public.

She noted that the proceedings were being recorded.

39
40 She stated the order of business for the hearing would be as follows: The District's Engineer would present information
41 regarding the proposed repair areas, including a description of the work proposed to be accomplished along various
42 reaches of the drainage system.

43
44 After the initial presentation, she would open the hearing for public comment. She indicated the Board wanted to hear
45 comments and concerns regarding the proposed repair area. She stated the Board's decision must be based on the legal
46 requirements related to the repair of the drainage system, taking into consideration and unique characteristics of property
47 that would justify an alternative repair design or alteration of repair methods.

48
49 She stated if an audience member wanted to make a comment, they were welcome to come up to the podium when
50 recognized, speak into the microphone and state their name and address for the record. If an audience member had a
51 specific question concerning the proposed repair area, the Board may ask the District Administrator, engineer or legal
52 counsel to respond. If any audience member had anything in writing they wanted to submit that submittal could be
53 provided during the public comment period.

54
55 District Administrator Belfiori thanked everyone for coming this evening. He stated they were having a hearing on the area
56 that the project designers had identified that needed to be accessed in order to do the drainage repair work. He noted
57 maps had been previously provided for those who lived adjacent to the ditch with a specific identification code. (Manager
58 Waller arrived) He noted the drainage area was 10-22-32 system located in the Cities of Lino Lakes and Columbus. He
59 stated they were planning on repairing the system later in 2013. He stated there was a repair initiated 3-4 years ago and
60 since that time, a historical memorandum had been prepared. He indicated there was a consolidation with orders and
61 public hearings approximately 2.5 years ago which was approved. He stated there was also informational meetings and a
62 repair report, along with a resolution directing repair and implementing water management district approximately a year
63 ago. He stated this hearing was to construct the project and if the Board wishes, they would adopt this and this would be
64 the last process in order to begin construction. He introduced the Drainage Attorney Mr. Kolb.

65
66 Drainage Attorney Kolb stated if this were open farmland or ag land and the ditch were travelling through it there would
67 not be a hearing because every ditch when it was established where damages were paid from properties that have been
68 affected by the ditch in the original establishment or when the benefits are assessed what came along with that was rights
69 of entry and an easement or right-of-way for the ditch itself to include an area necessary for the drainage authority to
70 perform its statutory function which was to repair the ditch so if this were all open ground, there would be no question
71 that the equipment was going to come in and it would take the accumulated sediment and debris out of the ditch; they
72 would spread and level and soils and they would be done with it. What made this project unique was that in the years
73 since this ditch was established and all of the damages were paid, properties changed changes substantially and there had
74 been a lot of residential and urban type of development right up to and next to the ditch. That created a series of
75 expectations from landowners. A lot of landowners on this drainage system thought they had a creek running through
76 their backyard and did not realize this was a public drainage system. Some people have piled up all of the stuff they did not
77 want around their house next to the ditch, trees have grown up and people have expectations that those trees are a part of
78 the woods growing in their back yard because they don't realize this is a drainage right-of-way. So in order that the District
79 could better inform property owners that were affected by this repair and they could identify any specific concerns the
80 landowner might have, they were having this public hearing. He stated when a ditch was established, there were damages
81 that were paid and if there were crops that were growing at the time the ditch was established, there would be temporary
82 damages paid for that crop loss. For recurrent damages for the ditch itself and for right-of-way for the ditch and also for
83 future access there were permanent damages paid. This ditch was a series of three ditches that were now consolidated,
84 but they date back to the late 1800's so anyone who was paid damages back then was not around today so they had to
85 revisit the expectations and go through a public process so that all of the affected landowners were informed of that area.
86 What the engineers did was that they usually took as a rule of thumb and area of about one lot on either side of the top

87 bank of the ditch and they said that was about the right-of-way and at the time the system was built based on the
88 equipment used and the size that was about right. Today when they go in to access the ditch, they have different
89 equipment and they had varying spaces so they tried to go out and replicate what would have been an appropriate area.
90 So, when they went out today they don't see the old area as clearly as they might have in 1910, so now they have to go
91 back and say given the equipment they were using, given the expectations of what the drainage repair was going to
92 encompass, what trees needed to be removed, what sediment needed to be removed, the areas that was going to be
93 spread level soils they have to reconsider where that area was. So, that was the purpose of the hearing was to explain that
94 in front of the public.

95
96 He stated some of things they considered were equipment access. Basically, they would have to walk equipment to the
97 edge of the ditch, track hoes, or whatever else might be necessary to perform the work. They have tree removal and
98 sediment removal. There might be structure crossings through the ditch and in some cases there were crossing that had
99 culverts where the culverts were too small or at the wrong elevation and those would have to be removed and replaced so
100 they were the right size and the right elevation and then the idea of would they take care of excavate soil. They would
101 need to look at if they had to haul it off-site and in some instances, given the terrain they had, they might need to move
102 that where in other instances it would be left in place and spread out. That was why they were here tonight – not because
103 the District was trying to require something or does not have the ability to do this, but because of the changed
104 circumstances, especially with the residential areas that were built up around this ditch. The Board needed to have the
105 opportunity and wanted the opportunity to make sure it was very clear what the effect to the landowners would be and
106 what would occur there as well as receive public input because there might be something about your individual property
107 that the Board or the engineers, or drainage inspector has not observed and might cause the nature of the repair to be
108 altered or adjust some of the methods of repair so that they did not cause an interference that might be particular to a
109 certain property or that might cause a larger problem for the drainage system or the repair itself. He indicated the
110 engineer would walk through the process.

111
112 District Engineer Otterness stated back in November when representatives from both the District staff and Houston
113 Engineering went out and walked every foot of the ditch where they were going to be doing the construction and they did
114 a tabulation and summary of the various obstacles that were in the way, the conditions of the vegetation along either side
115 of the ditch and noted if there were trees, fences, and that kind of thing and they tabulated in a spreadsheet everything so
116 that they would be able to come up with a plan of where they were going to be doing the work and how wide of an area
117 they would be doing the work. He stated they were going to need varying widths of access for the construction. He
118 showed the photos of the excavation, the channel, the culverts, and tree removal along various locations. He stated at the
119 bare minimum, they would need an access width of their equipment to go along the top bank of the open channel. He
120 stated as they went through the design of the project and after they had done the field research, they broke up each
121 segment of the public drainage system and the six different work types. He stated the first work type was an area where
122 they did not have any excavation needed in the channel and they did not need any clearing of trees or vegetation for
123 access, but at some point either in the near future, or later future they were going to need to access along there for
124 equipment to do maintenance. The next category was an area where they would need to excavate the channel to clean
125 the sediment out that had accumulated over the years and this sediment would be placed at the top bank of the channel
126 and this type of work was split up into two different categories: 1). where they did not need any tree removal because there
127 were not any trees along that portion of the ditch and 2). other areas where they were going to need to place the debris
128 and vegetation and brush along top of the bank. He stated there was also a third sub-category for this in the areas where
129 they recognized that they were going to be working in a yard area that was adjacent to a residential structure. They would
130 be chipping up the trees and any debris taken out. The fifth category was an area where they would not be doing any
131 excavation, but they would be removing trees and brush through the area to allow the flow to be able to go through the
132 ditch and to be able to access the equipment through there. He stated this area was also split up into locations where they
133 either were going to be taking and placing the vegetation they took out either on top of the bank and leave it there or they
134 were going to chip it if they were near one of the residential lot areas. He showed an example of a map sent out to each

135 landowner that was in the construction area. He stated the maps were made for each individual owner showing their
136 parcel, the type of work that was going to be completed in that area, and the width of the construction zone that they felt
137 was going to be needed for construction to occur in that area. He stated they did have some examples of the maps at the
138 meeting if they wanted to discuss it with him or District staff after the meeting. He showed an example of the type of
139 structure they would see in the ditch of the various bridges. He noted they had seen several of these type of bridges along
140 the ditch system and they cannot excavate with the bridges sitting in the ditch as they were, so in order to complete the
141 construction each one of the bridges would need to be removed temporarily in order to complete the construction and
142 then as best they could, they would try and replace them back into the bank. If the bridge happened to fall apart while
143 working, the bridge would not be replaced. He stated they would do the best they could, but they considered the bridges
144 an obstruction to the flow of the channel. He stated other obstruction debris they found include fences. If they saw a
145 barbed wire fence along the channel, the fence would be temporarily removed and then replace the fence when the
146 construction was completed. He stated there were culverts at several private driveways that were going along the system
147 that were in need of repair or replacement and they would be replacing them as they were typically of the same size, but
148 sometimes they would need to be lowered to meet the excavated profile of the ditch and in a couple of cases, they would
149 need to put larger ones in to allow greater flow to occur in the ditch system. He stated not every culvert would be
150 replaced, but rather only the ones that currently needed to be repaired, were too high, or were too small. He stated other
151 things that might be out there were structures or other things that were along the maintenance area if the homeowner did
152 not move them by the time they got there, those items would be moved to the edge of the area where construction would
153 be taking place. He encouraged all of the audience members to ask questions as they wanted to make sure they received
154 the public's comment in the process. He stated they would work with the landowners to get the construction completed
155 as smoothly as possible and leave the least amount of destruction to the properties. He stated he would be happy to go
156 into the field with each property owner and look over each area to try and determine what is the best area to get in and
157 out along the edge of the ditch or drainage system to be able to complete the work and to have the least amount of
158 destruction. He indicated right now they were planning on completing the draft construction plan sometime in April and
159 then they would work in April/May to get the permits mostly consisting of the wetland mitigation permit. They would
160 hopefully have the final construction plans completed by the end of May and try to aim for a bid process sometime in June.
161 He stated they were looking for a fall construction season (August – November). He stated this timeline was tentative and
162 would change depending on any issues with permitting or anything else that might occur.

163
164 President Preiner asked if any members of the Board had any comments. There were no comments made by the Board
165 members.

166
167 President Preiner invited the public to make comment.

168
169 Bill Picha, 523 Henry Lane, stated he was hoping to learn a little more about this process. He stated what was covered
170 today he already had read. Now, he had specific questions about this property. He asked if he would address that to
171 Jordan, who was listed on the sheet.

172
173 President Preiner asked if the questions were legal or where they technical. Mr. Picha responded they were just about the
174 pink shaded areas where he assumed some damage would be done where equipment would go through the blue was were
175 the culverts were. He asked if that was correct. President Preiner responded that was correct.

176
177 Mr. Picha asked if they would be replacing sod torn up and how would that work. President Preiner responded they would
178 try and address as much as they could one at a time and then afterwards he could talk to staff further.

179
180 District Engineer Otterness stated for clarification on the maps that they had the pink area was the area they determined
181 to be the area that was necessary to access for construction. Basically, that was the maximum area where they would be
182 removing trees or anything else that was along the ditch system. However, they were only going to remove as much as

183 necessary to reveal access for construction and be able to complete the construction in the ditch so they would be
184 removing trees and anything in the pink area would be removed if it was needed for access for equipment to construct and
185 would be working with landowners and try to minimize that area and try to save as many trees as possible.
186

187 Mr. Picha asked when it came to sod, would the sod be replaced or how would that work. He noted if there was a tractor
188 driving over the sod, it would probably not be savable. He asked if that would be replaced. He indicated he did not
189 understand what would get fixed at the end. District Engineer Otterness responded any area that soil was disturbed would
190 be reseeded with just a regular MnDOT seed mix and if the landowner wanted to come back and place sod on the area,
191 they could do so, but the District was not going to be putting sod down, just seeding assorted areas.
192

193 Mr. Picha asked with any removal of trees those trees would be gone. He noted not all of the trees would be able to be
194 saved in order to get equipment back in. He asked if the trees would be replaced. District Engineer Otterness responded
195 the trees would not be replaced. He stated they would want to maintain the areas to do maintenance in the future. He
196 indicated there would be sediment accumulating in the future and they wanted to be able to keep an open area so that
197 they did not have to come back and keep removing trees.
198

199 Doug Malsom, 8210 Diane Street, Lino Lakes, stated he did not get a map, so he was assuming this was not affecting any
200 property near him. He stated he wanted to bring up an issue that had happened 7-9 years ago and wanted to make sure it
201 did not happen now. When the development south of Main Street, to the West of Miller's they had to dig a wetland so a
202 hole was dug in the swamp already there and when they did that, they crushed the culvert. He stated they spent 2-3
203 months under water on the west side of Diane Street. He stated the entire west side's sump pumps were running
204 constantly and several of them had to be replaced as they burnt out. It took him maybe a hundred phone calls and visiting
205 with the City, calling the RCWD, calling the County and everyone blamed everyone else and pointed fingers everywhere.
206 He finally got someone from the watershed to come out. He stated they now have 12-15 acres of hardwood trees that
207 were dead now due to that incident because they sat under water for three months. He asked who was responsible and
208 what is the phone number for them to call when/if this happens again and how would it be handled.
209

210 President Preiner stated he could contact RCWD Public Drainage Inspector Tom Schmidt and she assured him that what
211 they were trying to do was to open up the water system so this would type of a situation would not happen again. Mr.
212 Malsom stated that culvert had been replaced now and it was too high because all of the trees were still dead and they were
213 not growing back.
214

215 President Preiner stated they would look into this further.
216

217 District Engineer Deutschman pointed out that the area that Mr. Malsom was talking about was on the east side of Pin
218 Oak Lake and there is no work proposed up on that part of the District. Mr. Malsom responded it all flowed to the south
219 and went through everything and if the elevations were wrong, there would be more water up there.
220

221 District Engineer Deutschman stated they have done an analysis of the elevations of the entire system and they felt the
222 elevations were set right for the entire system at this point in time. Mr. Malsom stated the culvert he was concerned with
223 wasn't.
224

225 Manager Waller asked what Mr. Malsom was referring to when he stated his culvert wasn't. Mr. Malsom responded it was
226 not at the right elevation.
227

228 Manager Waller asked if the culver was too high or too low. Mr. Malsom responded the culver was too high.
229

230 District Engineer Deutschman asked if this was under Diane Street. Mr. Malsom replied it was the entire wetland complex
231 adjacent to Lino Lakes Elementary.

232
233 District Engineer Deutschman stated that was not part of their drainage system. Mr. Malsom stated there were ditches in
234 there.

235
236 District Engineer Deutschman responded he was sure there were a lot of ditches, but a lot of ditches were private ditches
237 and were not part of the public drainage system. He noted the drainage authority does not have responsibility for private
238 drainage. Mr. Malsom stated this was exactly what the problem was 7 or 8 years ago when everyone was pointing fingers
239 at each other and nobody would do anything. He stated he was very close to taking a pick ax and taking it out himself. He
240 asked who would they call and how would it get resolved if this happened again.

241
242 District Engineer Deutschman responded stated during the construction process itself there would be people in the field
243 representing Rice Creek actually observing the construction so that would be the first line of correction. After that, he
244 believed the normal process on drainage matters would be to contract Tom Schmidt as he is the drainage system expert at
245 the District and he usually was pretty good at helping people try and resolve their concerns, but the first line would be
246 during construction they would have people that were watching.

247
248 President Preiner asked if there was anyone else that wanted to come forward.

249
250 Steve Engelhardt, 8195 Diane Street, stated since the culvert Mr. Malsom was talking about was part of the ditch 32 and it
251 got crushed, he assumed the District was responsible. If it was crushed and there was a problem, it would be the District
252 they would call and say the ditch was blocked, it was flooding, and it was causing problems. Public Drainage Inspector
253 Schmidt responded, yes, if it was part of the Public drainage system and there was an obstruction or a culvert was crushed,
254 the Watershed District was the point of contact, but it had to be a part of the public drainage system.

255
256 District Engineer Otterness responded that ditch area was not part of the culvert. He stated the crossing was the
257 responsibility of the person who owned the crossing. So, the District would look to the owner of the crossing to manage
258 that crossing. If that continued to be a problem, it could be discussed in detail after the meeting.

259
260 Mr. Engelhardt stated they were going to bring this to the City Council meeting and all of a sudden, it miraculously got
261 fixed. He stated he hoped this did not happen again because it killed a lot of trees.

262
263 President Preiner asked if the problem had been fixed. Mr. Engelhardt responded it was fixed and it seemed correct now.
264 He stated at one time it was smaller and it was replaced with a bigger one, but by all of the heavy equipment moving in it
265 got crushed and it just backed up and backed up over a long period of time.

266
267 President Preiner asked if there were any other comments to be made.

268
269 Al Robinson, 8299 4th Avenue, Lino Lakes, stated his concern was on the excavation. He asked kind of a back slope would
270 be on the ditch. Would it be 2 to 1, 3 to 1, 5 to 1, or would it vary and if it varied where would they hold it. District
271 Engineer Otterness responded they would be looking at a 2 to 1 slope as a maximum, but it would also depend on what
272 was there already so if the back slope was flatter they were not going to try and cut is up narrower, they would match what
273 was there. It would vary some in the field, but anything that they cut in new as a part of the repair would be a 2 to 1.

274
275 Mr. Robinson asked if the problem was going to be between Lilac Street and Carl Street as that was where the new homes
276 were and they would be able to get enough slope to that to be able to hold it. He recommended rather than seeding it to
277 put a mat on it on the real steep stuff because seed would not hold that back. He stated this would need to re-dug in

278 another ten years. He stated he was also not sure where the project starts. He asked if it started at 35W or was it starting
279 at the lake. District Engineer Otterness responded the project would be starting just upstream of the lake, on the other
280 side of 35W.

281
282 Mr. Robinson asked if this would be everything in front of the prison. District Engineer Otterness responded that was
283 correct.

284
285 Mr. Robinson asked if that would all be hauled away. District Engineer Otterness responded they were still working on
286 that.

287
288 Mr. Robinson responded there was no room back there. District Engineer Otterness agreed that was not much room.

289
290 Hearing no further comments, President Preiner closed the public hearing. She asked the Board if they had any further
291 discussion.

292
293 Manager Haake inquired about the fences. She noted the District Engineer had stated the barbed wire would be replaced,
294 but what if it was a chain link fence? Would that type of fence be replaced? District Engineer Deutschman responded
295 there was only one piece of chain link fence they were concerned about and they were hoping the contractor could work
296 around it instead of having to physically remove it. With respect to the barbed wire fence, they were anticipating they
297 would take it out, do the work, and put it back up.

298
299 Manager Haake stated usually they had some sort of the bank being held back, but on the side banks if something would
300 occur where it would go back into the ditch and then it fell back in, would there be some kind of a variety as to what they
301 would do to hold back the side banks of the ditch. District Engineer Deutschman responded primarily they would try and
302 control that through the grades and the natural side slope of the ditch as well as through mulching and seeding. He noted
303 they had some areas on the backyards of some residences where they would be some stabilization measures where they
304 had really steep banks so those stabilization measures would be primarily at the toe of the bank without regarding because
305 they did not have room to re-grade. In some instances, they would be regarding though.

306
307 Manager Haake asked if there would be some education for these people as to why there might be some other type of
308 thing that might be better for the bank than what they might be used to. She noted this was an easement the District had
309 and she did not want to see the District have to go back in and redo this. District Engineer Deutschman responded he was
310 not aware of any pending education effort related to this project.

311
312 Public Ditch Inspector Schmidt stated this would be the role of staff after the project to visit the people and educate them
313 on the vegetation options.

314
315 President Preiner asked if there would be a regular maintenance program as far as to how many years they intended to
316 clean out the ditch. District Administrator Belfiori responded as discussed previously at the workshop, like the other
317 management ditches on JD4, what they anticipated was a longer term water management district so that there was small
318 pot of money for future annual maintenance that would occur through the Water Management District.

319
320 President Preiner stated her point was that the people who owned the property would know that every five or ten years
321 the District would be coming back through. Public Drainage Inspector Schmidt responded once they went through the
322 effort and expense of opening this up that through a combination of various methods they would try and control the
323 vegetation in the future to keep the area opened up. He stated most of the problems were due to trees falling in the ditch,
324 debris settlement, etc. and by keeping trees from the ditch or inside the channel some maintenance would be eliminated

325 and then a periodic maintenance would be done. He stated once this would be repaired, it would be much easier to
326 maintain it and much cheaper to maintain it than go through this effort.

327

328 ***Motion by Manager Wagamon, seconded by Manager Haake, to recess the Public Hearing to the Board's Regular***
329 ***Meeting on March 27, 2013, direct the preparation of the Findings consistent with the proceedings and adopting the***
330 ***Engineer's description of the necessary riparian maintenance as represented. Motion carried 5-0.***

331

332 **ADJOURNMENT**

333 ***The meeting adjourned at 7:21 p.m.***

334

APPROVAL MARCH 13, 2013 REGULAR BOARD MEETING MINUTES

DRAFT

For Consideration of Approval at the March 27, 2013 Board Meeting.
Use these minutes only for reference until that time.

REGULAR MEETING OF THE RCWD BOARD OF MANAGERS

Wednesday, March 13, 2013

Shoreview City Hall Council Chambers
4600 North Victoria Street, Shoreview, Minnesota

Minutes

ROLL CALL

Present: President Patricia Preiner, 1st Vice-Pres. Barbara Haake, 2nd Vice-Pres. John Waller, Secretary Harley Ogata, and Treasurer Steve Wagamon.

Absent: None.

Staff Present: Administrator Phil Belfiori, Permit Coordinator/Wetland Specialist Nick Tomczik, Water Resource Specialist Kyle Axtell, Office Manager Theresa Stasica, Public Ditch Inspector Tom Schmidt, Technical Specialist/Permit Reviewer Chris Buntjer, Technician/Inspector Jordan Kudrna.

Consultants: District Engineers Mark Deutschman, Houston Engineering, Inc. (HEI); District Attorney Louis Smith from Smith Partners and District Drainage Attorney John Kolb.

Visitors: Mark Straus

CALL TO ORDER

President Preiner called the meeting to order, a quorum being present, at 9:00 a.m.

SETTING OF THE AGENDA

*Motion by Manager Ogata, seconded by Manager Haake, to adopt the agenda as amended.
Motion carried 5-0.*

READING OF THE MINUTES AND THEIR APPROVAL

Minutes of the February 27, 2013, Board of Managers Regular Meeting. Motion by Manager Wagamon, seconded by Manager Ogata, to approve the minutes as amended. Motion carried 5-0-1 (Manager Haake abstained).

CONSENT AGENDA

The following applications have been reviewed by the District Engineer and Staff and will be acted upon without discussion in accordance with the Engineer's Recommendation unless a Manager or the Applicant or another interested person requests opportunity for discussion:

Table of Contents

PERMIT APPLICATIONS REQUIRING BOARD ACTION

No.	Applicant	Location	Plan Type	Recommendation
13-002	City of Lino Lakes	Lino Lakes	Street & Utility Plan	CAPROC 4 items

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Permit Coordinator/Wetland Specialist Tomczik noted this was east of 35E and north of Main Street. He indicated this was the area the City of Lino Lakes had been approaching the District about as to how the property would be developing, stormwater concerns and this was step one for the infrastructure of the road.

Motion by Manager Ogata, seconded by Manager Wagamon, to approve the consent agenda as outlined in the above Table of Contents in accordance with RCWD staff and District Engineer's Findings and Recommendations, dated March 4, 2013. Motion carried 5-0.

OPEN MIKE – LIMIT 12 MINUTES. Any RCWD resident may address the Board in his or her individual capacity, for up to three minutes, on any matter not on the agenda. Speakers are requested to come to the podium, state their name and address for the record. Additional comments may be solicited and accepted in writing. Generally, the Board of Managers will not take official action on items discussed at this time, but may refer the matter to staff for a future report or direct that the matter be scheduled on an upcoming agenda.

Water Resource Specialist Axtell stated Rick Gwynn had resigned from the Citizen Advisory Committee and a letter of recognition would be sent to him.

Manager Haake inquired if the meeting time would stay the same. Water Resource Specialist Axtell responded it would stay at 5:30 p.m.

ITEMS REQUIRING BOARD ACTION

1. Consider HEI Task Order to Develop a Technical Memorandum Related to Impoundment Proceedings on Washington County Judicial Ditch 2 and discussion on procedures related to Chapter 103E Impoundment (John Kolb and Mark Deutschman)

Administrator Belfiori explained in attendance was the District Drainage Attorney Kolb regarding the HEI Task Order for completion of the impoundment proceedings on Washington County JD2.

Drainage Attorney Kolb stated the outline was set forth in statute. He noted it was the engineer's evaluation of the proposal and the impact of the proposal that went directly to the Task Order. He highlighted a few items in the memorandum for the Board's consideration. He noted the significance of the Board's 2005 repair order. He stated at present, the scope of repair and conditions ordered in 2005 were the only record action of the Drainage Authority indicating a scope of future maintenance. He indicated the function and efficiency of the drainage system anticipated by the 2005 repair order was reflected in the 2004 repair report. He pointed out the significance of the ordinary high water elevation of Rice Lake. He stated this was a consideration the Board had to think about. He asked if the Board had any questions regarding his memorandum.

Manager Ogata asked if a watershed district ordering DNR to acquire an interest below the ordinary high water mark would be beyond its authority. Drainage Attorney Kolb responded to require the DNR to acquire a flowage easement below the OHW, is likely beyond the authority of the watershed district since the DNR already has an interest to manage water in that area.

District Engineer Deutschman stated the criteria being used are the same as the Branch 3 impoundment proceedings the District recently went through on ACD 53-62. That procedure was a bit easier in that the impoundment was a wetland restoration site at the top of the watershed so few lands were potentially affected. He stated in developing the task order they had options as to the amount of information generated and what is used in rendering the decisions. He stated one of the options was to rely solely on the existing data in the record.

87 The other option, which was what he was proposing, was to look at a range of options both with and without the
 88 weir in place as well as the geometry of the system. He indicated the task order also considers evaluating the fully
 89 repaired condition. He stated the costs were driven by the level of detail. He stated they had five alternatives
 90 included in the task order and that is what drives the cost. He stated if they totally relied on the existing
 91 information or had fewer alternatives that would reduce the cost. He stated his approach assumes the Board
 92 wishes a thorough due diligence analysis.

93
 94 Manager Ogata stated he was in favor of doing a thorough due diligence in this matter. He believed the money
 95 spent upfront would be well spent for the future. President Preiner and Manager Wagamon agreed.

96
 97 District Engineer Deutschman noted modeling this was going to be challenging, but they would do their best
 98 however, there would be some uncertainty. The uncertainty would be addressed in the final information developed.
 99

100 ***Motion by Manager Ogata, seconded by Manager Wagamon, to approve Task Order 2013-01 Motion carried***
 101 ***5-0.***

102
 103 **2. Consider Resolution approving distribution and solicitation of public comments on proposed revised**
 104 **District rule and Statement of Need and Reasonableness (SONAR) (Phil Belfiori)**

105 District Administrator Belfiori explained this Resolution which authorizes staff to distribute the proposed rule
 106 revisions document and the SONAR document as previously discussed noting the area of concern on page 47.
 107

108 Permit Coordinator/Wetland Specialist Tomczik clarified the language on page 47 item (f) On District request, the
 109 applicant will conduct an assessment of protected plant or animal species within the project site. He stated there
 110 was concern as to what obligation this would put the applicant in. He noted this was not unheard in
 111 administration of the District rules, but it was infrequent. He stated the language's basis was within WCA, which
 112 included consideration of unique plants and animals as well as archeological sites and the like. He stated in his
 113 experience, this has only come up a few times in the past for the District.
 114

115 President Preiner asked if this was something they were required to act on or was it a watershed duty. Permit
 116 Coordinator/Wetland Specialist Tomczik responded yes it was the responsibility of the LGU and its basis was
 117 found in WCA itself.
 118

119 District Administrator Belfiori stated this was only if there was a scientific determination that there was a need
 120 then the District could request the applicant to do further investigation, but this has not happened very often. He
 121 stated it was not the applicant requesting service of the District.
 122

123 President Preiner expressed concern that the applicants would be overburdened.
 124

125 Manager Wagamon asked what the process would be if the public was ordered to do that and who would the
 126 public hire and actual have to do to comply with that.
 127

128 Permit Coordinator/Wetland Specialist Tomczik responded this would likely start out under a wetland delineation
 129 where a rare plant would be found or other concern, so there was no additional cost at that stage. Then, it would
 130 develop into where the plants are and how extensive to the site, a study would be prepared and the cost would
 131 be driven by the size of the property and the private consultant as to how much work that was. He stated
 132 qualified companies would be hired for this type of work.
 133

134 Manager Haake stated this happened in the City of Mounds View and if it was done early enough, other provisions
135 could be made if something rare was found. She noted it all depended on who found the plants/species. She
136 stated if it was noted, the District had the responsibility to preserve the plants/species.

137
138 Manager Waller stated he believed the concern at the meeting was that they would be stuck with the rules. He
139 stated there was a cost involved in this and the studies could be very expensive. How much of that information
140 was available to the public. He asked if the RCWD kept this information also. He stated if the District had this
141 type of cataloged information, it would save the taxpayers the cost of these studies. He stated the more
142 information they had on hand, the better.

143
144 Permit Coordinator/Wetland Specialist Tomczik responded some of the reports were available to the public. In
145 other places the general information was cataloged such as the MLCCS classification system. He stated entities
146 that were attuned to the process knew where the resources were and would share the information, but after these
147 resources, he did not know how much information was available and if it would satisfy the needs of the project.

148
149 President Preiner stated she has heard some horror stories about a very limited species and the accommodations
150 made for that limited species.

151
152 Manager Waller asked if accessible information was available to the applicants and was there a checklist available.
153 Permit Coordinator/Wetland Specialist Tomczik responded the applicant's consultant typically addresses this
154 information.

155
156 Manager Haake stated because this was a Resolution for a rule revision, would it be true with all of the Rules that if
157 this occurred, could a variance or other process be done where they could get into a discussion at that time. She
158 indicated if there was something there that needed to be preserved, she did not want to see the RCWD have the
159 expense. She stated when this came up they could go into it and discuss it further rather than hold this Resolution
160 up.

161
162 Manager Ogata asked if two things would happen, such as a survey would be taken and those results would come
163 back to the Board for a decision. Permit Coordinator/Wetland Specialist Tomczik responded that was correct.

164
165 Manager Ogata stated unless he was misreading this, the RCWD would still have authority over what they would
166 do with the survey results.

167
168 Manager Waller stated he did not disagree, but the survey could be required for one lot or 200 acres and when you
169 are looking at a large ditch system or RMP area, he believed that had already been done previously and that was
170 what he wanted to avoid. He believed a lot of information was already available.

171
172 Manager Ogata agreed with Manager Waller and that the staff should not require a survey that was not necessary.

173
174 Manager Waller suggested maybe the rule might say they have collected information for some areas and that
175 survey was in existence for that area.

176
177 President Preiner agreed.

178
179 Water Resource Specialist Axtell noted the language in the rule was not new rule language, but it is in and was
180 pulled from all the RMP rules.

181

182 Manager Ogata asked if anyone had a revision to make.

183

184 Permit Coordinator/Wetland Specialist Tomczik stated he believed the DNR had a study of where the rare plants
185 exist, but the DNR would not tell them exactly where they were because the DNR believed those plants would be
186 under greater threat. He stated the District could provide the information, the surveys they knew existed.

187

188 President Preiner stated she wanted information provided to the applicants if the District already had the
189 information and not make the applicant find the information or pay to have someone find the information.

190

191 District Attorney Smith stated at this point all they were doing was putting the rule out for public comment and
192 they might want to keep considering this issue. He suggested adding the following language to Item F: "Where
193 such assessment is not available from existing sources". He noted the key emphasis was that this was on the
194 District's request.

195

196 District Engineer Deutschman stated this was a condition for every permit they received for their own projects.
197 He stated there was a condition that the species could not be impacted and had to be watched for during
198 construction. He stated this had to be done anyway and in their projects, he would rather know this up front
199 rather than have everything ready and then an issue came up. He stated there was information out there and the
200 DNR had a database, which could be utilized. He stated the RCWD also had records available to the applicants in
201 the plans and if they knew that up front, they would have this for the wetland delineation.

202

203 Manager Waller stated he did not want a state agency to destroy these important plants and animals and it was
204 important that the District have this information.

205

206 Manager Ogata stated the Resolution before them was to notice the rules and hearing and he liked the District
207 Attorney's amendment.

208

209 ***Motion by Manager Ogata, seconded by Manager Wagamon, to amend Rule F, number 7, item (f) with the***
210 ***following language at the end of item (f): where such assessment is not available from existing sources.***
211 ***Motion carried 5-0.***

212

213 ***Motion by Manager Ogata, seconded by Manager Haake, to adopt Resolution 2013-04, Directing and***
214 ***Distribution of Proposed Rule Revisions and Notice of Public Hearing.***

215

216 **ROLL CALL:**

217 ***Manager Waller – Aye***

218 ***Manager Haake– Aye***

219 ***Manager Ogata - Aye***

220 ***Manager Wagamon – Aye***

221 ***President Preiner - Aye***

222

223 ***Motion carried 5-0.***

224

225 **3. Consider City of Roseville Local Surface Water Management Plan Approval (Kyle Axtell)**

226 Water Resource Specialist Axtell stated he started working with the City of Roseville last fall regarding their water
227 management plan. He stated all of their comments and the Met Council's comments were addressed. He
228 recommended the Board approve the Local Water Management Plan as submitted.

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Motion by Manager Haake, seconded by Manager Ogata, to approve Resolution 2013-05, Resolution to Approve Roseville Local Surface Water Management Plan.

District Engineer Deutschman inquired about Roseville’s approach to managing rate and volume of runoff in sensitive areas. Water Resource Specialist Axtell responded this was an example of urban areas that had issues with local flooding and the City had measures in place that were much more strict in rate control, etc. in areas where they had problems. He stated this City was an example of a City that was very proactive.

ROLL CALL:

- Manager Waller – Aye**
- Manager Haake– Aye**
- Manager Ogata - Aye**
- Manager Wagamon – Aye**
- President Preiner - Aye**

Motion carried 5-0.

4. Consider Water Quality BMP Cost-Share Applications (Kyle Axtell)

-W13-01 Nancy Dohr: Raingarden & Pervious Pavers

Water Resource Specialist Axtell stated this project was located at 92 Wildwood Beach Road in Mahtomedi and proposed a 168 square foot swale and 120 square foot raingarden as well as a 144 square foot pervious paver patio to infiltrate runoff from a 3,300 square foot drainage area. He noted the site slopes steeply to the west where runoff drained to the street and directly to White Bear Lake via storm sewer. He did not believe the pervious patio was not necessary or beneficial and space could be added to the raingarden, so that part of the project had been eliminated as being eligible for the cost-share. He stated the CAC had recommended approval of the cost share project.

Motion by Manager Waller, seconded by Manager Haake, to approve RCWD Water Quality BMP Cost-Share Contract W13-01 for Nancy Dohr’s raingarden project, up to \$707.50, not to exceed 50% of eligible project expenses, in accordance with established program guidelines.

Manager Haake agreed about the pervious patio and she agreed the grass was much better.

Motion carried 5-0.

-W13-02 White Bear Yacht Club: Shoreline Restoration

Water Resource Specialist Axtell stated this was Phase II for the White Bear Yacht Club. He noted this was a proposal for restoration of 415 feet of lakeshore on White Bear Lake. This application was for the last of two phases to complete a full restoration for the entire 575 linear feet of shoreline at the property. He noted there was a boulder wall, which was not eligible for the cost share, so the total eligible project cost was \$71,274.50. He stated the original approval for phase I was approved up to 33 percent as there was another partner involved in that phase. He noted if this was approved, it would take up much of the budget for Washington County, which would eliminate other applications coming in. He recommended a cost-share up to 33 percent. He stated the CAC also supported the 33 percent.

275 Manager Ogata stated they had funded fifty percent on large projects before. Water Resource Specialist Axtell
 276 responded there had been a few larger similar projects located in Ramsey County, which had a grant from BWSR,
 277 and the RCWD’s cost-share was 25 percent due to the availability of other cost-share funds.
 278

279 Manager Haake stated the precedent for the Yacht Club had always been in a partnership with Washington
 280 County. Water Resource Specialist Axtell responded the other phase did have a partnership. He was
 281 recommending this be capped at 33 percent, but the guidelines would allow them to go to 50 percent, but he had
 282 a concern that other projects could not be funded.
 283

284 Manager Haake stated she did want to keep more money for everyone else also. She asked why they were not
 285 approving the amount for fifty-percent, so it would be closer to \$17,000 instead of the \$23,000. Water Resource
 286 Specialist Axtell stated Washington County did not contribute 50 percent to Phase I last year, but instead
 287 contributed whatever they had left, so he did not want the Board to compare that amount to the amount
 288 contributed this year.
 289

290 ***Motion by Manager Waller, seconded by Manager Wagamon, to approve RCWD Water Quality BMP Cost-***
 291 ***Share Contract W13-02 for Phase II of the White Bear Yacht Club’s lakeshore restoration project, up to***
 292 ***\$23,520.59, not to exceed 33% of eligible project expenses, in accordance with established program guidelines.***
 293

294 Manager Ogata asked how much the Washington County budget was for the year. Water Resource Specialist
 295 Axtell responded the budget was for \$50,000 for each County annually so this would take up approximately fifty
 296 percent of the budget.
 297

298 Manager Haake stated she would have gone for a lesser amount as she wanted to see more funding available for
 299 other projects so she would not be approving this.
 300

301 Manager Ogata stated in the past did Washington County expended its full budget. Water Resource Specialist
 302 Axtell responded in the past the County had not used its full budget, but he believed the County staff was working
 303 better with the RCWD and more requests would be coming forward.
 304

305 Manager Ogata stated his concern was that they were treating the Yacht Club differently than the other private
 306 vendors and he preferred to treat them the same way as other applicants, which would be at the 50 percent rate.
 307

308 Manager Haake stated it appeared Washington County did not have the funding to approve this. Water Resource
 309 Specialist Axtell responded he did not have access to the Washington County funding information.
 310

311 Manager Waller asked if excess funds had been carried over year to year. Water Resource Specialist Axtell
 312 responded the funds left over at the end of the year went back into the kitty and every year the amount reset back
 313 to \$50,000. The funds did not carry over from year to year.
 314

315 Manager Waller stated while this might seem large, if they added up the moneys spent on Washington County
 316 they were below their allocation.
 317

318 **ROLL CALL:**
 319 ***Manager Waller – Aye***
 320 ***Manager Haake– Nay***
 321 ***Manager Ogata - Aye***

322 **Manager Wagamon – Aye**
323 **President Preiner – Nay**

324
325 Manager Haake stated the other reason she voted no was because Washington County levy percentage for RCWD
326 was the least amount of money to the District’s budget.

327
328 **Motion carried 3-2.**

329
330 **5. Consideration of 2013 Vegetation Management/Herbicide Application of the Houle/Hair Wetland**
331 **Mitigation Site Recommendation of Contractor (Phil Belfiori)**

332 District Administrator Belfiori stated this item was to consider the 2013 Vegetation Management/Herbicide
333 Application of the Houle/Hair wetland mitigation site recommendation. He recommended to award the contract
334 to Applied Ecological Services.
335

336 Manager Haake asked if Minnesota Native Landscapes have included in their costs the thatch removal or was this
337 an extra charge. District Administrator Belfiori responded the \$46,000 was for the top three actions and the two
338 additional items, which would be determined in the field. He noted some of this might be applied to a larger
339 portion of the site based on the unit cost per acre. He stated this would have had to be added either way. He
340 indicated the thatch would be separate from the ten percent contingency. He noted staff and the Engineer would
341 work to ensure these costs were appropriate.
342

343 District Engineer Deutschman stated what they were seeing was the Year Two piece of a large site management.
344 He stated last year the thatching was budgeted, but it was not done because the opportunity had not presented
345 itself. He noted this year they would do another burn and based on that burn, they wanted to expose the bog
346 level itself so the native vegetation could grow. He stated the cattails had prevented the vegetation to grow. He
347 stated the maximum total amount spent this year would be somewhere between \$75,000 - \$80,000 assuming 35
348 acres of thatch and seeding, but that would not be determined until the burn was completed. He stated
349 financially they were on target based on a previous discussion.
350

351 Manager Ogata stated this was consistent with what was presented at the workshop meeting.
352

353 District Engineer Deutschman stated everything would be documented so it was in writing as to what the total
354 amount would be.
355

356 **Motion by Manager Ogata, seconded by Manager Waller, to award the vegetative management/herbicide**
357 **application tasks for the Houle/Hair wetland restoration contract to Applied Ecological Services for the**
358 **contract price of \$46,032.00 plus unit cost per acre for mechanical thatch removal, native seeding to be**
359 **determined on site and authorizes the President to sign the contract and proceed when prerequisites for**
360 **issuance have been met by the contractor. This motion also authorizes the District Administrator to sign task**
361 **orders increasing the contract price in an aggregate net amount not exceeding 10 percent of the contract price.**
362 **Motion carried 5-0.**

363
364 **6. Consider Check Register dated 3/13/2013, in the amount of \$78,231.33, prepared by HLB Tautges Redpath.**

365
366 **Motion by Manager Wagamon, seconded by Manager Ogata, to approve check register dated 3/13/2013, in**
367 **the amount of \$78,231.33, prepared by HLB Tautges Redpath. Motion carried 5-0.**

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ITEMS FOR DISCUSSION AND INFORMATION

1. Mike Straus – Requested Follow-up Discussion with Board

Mike Straus, 10101 Naples Street NE, Blaine.

President Preiner stated the Board had received Mr. Straus’ information and she wanted to make this into four through six statements.

District Administrator Belfiori stated one of the things they could do was if he talked about the existing problems and then discuss the water issues he had identified as well as his notes regarding the slope along with the elevation being requested.

Mr. Straus stated he had a 20-acre site and he believed the ditch elevation was not where it should be. He stated he had pictures back in the 60’s where there were ditches running through the entire property and there were no sump pumps in his basement until he bought the property. He stated his sumps pumps kept failing. He asked how often they maintained the ditches. He noted he had tried to find the historic elevations and the maintenance, but the most current records he could find was from 1898. He stated even the photographs from 1938 had recently disappeared. He stated the ditch had been maintained, but it stopped at his property line. He stated from the historic photos it appeared his ditch was deeper in the past than it was currently. He requested his ditch be maintained also.

Manager Haake asked to see the pictures. Mr. Straus handed out the pictures and explained each picture to the Managers.

A discussion was held in front of the podium, but not picked up by the microphone.

Mr. Straus stated there was an entire ditch system that has not been maintained. President Preiner asked if staff needed to establish questions and what the RCWD’s responsibility was.

Public Ditch Inspector Schmidt stated Mr. Straus came in 2011 and requested maintenance on Lateral 1 of Branch 6. In 2012, they did perform maintenance on the ditch based on the profile that was adopted after the consolidation hearing. This maintenance was done in spring 2012. He stated in the summer 2012, Mr. Straus came to a Board of Managers meeting and spoke at open mike and distributed pictures to the Board of erosion to the ditch that had occurred post maintenance which took place after a series of heavy rainfalls. Mr. Schmidt stated they anticipated some of this happening, but this showed significant erosion so they installed a grade stabilization measure that consisted of a section of sheet pile weir with some rip rap placed at the grade of the ditch based on the profile in the ditch in order to prevent further erosion. In fall 2012, Mr. Straus came back to the RCWD and he had a discussion with the Administrator, President Preiner, Public Drainage Inspector Schmidt and the District Engineer regarding some of the issues brought forward today including the shallowness of his ditch, the steep section downstream of his property. At that point, the engineer indicated they were comfortable with the profile set and suggested Mr. Straus seek evidence that the profile was in error because if he felt it was in error, there needed to be evidence in order for it to be corrected. In the fall, Mr. Straus did some of that investigative work. In October 2012, Mr. Schmidt met with Mr. Straus along with a former City Councilmember, Mr. Capra, onsite and looked at some of the work he had done and from his observation it was difficult to tell one way or another, but at that time he suggested that Mr. Straus pursue having a professional engineer look at the information and make recommendations to Mr. Straus. After that point, Mr. Straus had continued to look for other evidence throughout the late fall/winter over at Anoka County. He stated Branch 6, lateral 1, which traverses Mr. Straus’

415 property, had been a part of ACD 9, which was the oldest section of the ditch system. It has had multiple outlets
416 and in many direction which has changed over time. Part of the struggle was there were not as-built drawings for
417 the different generations of the ditch. The last iteration was done in 1917 and he has personally gone over to the
418 County looking for the as-built and he was not able to locate one either. He stated they had to best estimate what
419 the original profile was of the ditch.

420
421 President Preiner asked where were they now in the process that they could evaluate this through the RCWD's
422 rules and regulation, what would the RCWD be responsible for, and how would they proceed.

423
424 District Engineer Deutschman stated the as-constructed was a bit of an art. There were a variety of methods to
425 determine the as-constructed. He stated when this was done they tried to do an analysis of how good of a profile
426 they had constructed. He stated if they were going to do more repair, that as-constructed was the guide for the
427 repair and the record would need to be modified. The other option was if the private ditches connected to the
428 public system were working and maybe those private ditches could be brought into working order again, which
429 would be the private ditch owner's responsibility.

430
431 Manager Haake noted the ditch elevation was established at 891.46 and when this was being done, there were
432 many things they were investigating. She stated this portion of the ditch had been done privately and the slope
433 was extraordinary. She asked what was bringing in the water.

434
435 Mr. Straus stated it was not the weir that was holding the water back. He believed the elevation was too high
436 compared to the photos. He stated when the CSM property had engineering work done on it, he believed his
437 property was also looked at. He stated borings had been done on his lot also. He asked what was the engineer's
438 final decision as to that analysis for the ditch on his property. District Engineer Deutschman responded the 891.46
439 was only for a part of 53-62. The dashed line on the drawing was the determination of the as-constructed depth.

440
441 Mr. Straus asked if they just came up with that one. District Engineer Deutschman responded that was based on
442 the borings and he had a separate memorandum setting out the analysis which he could provide to Mr. Straus. He
443 noted this was a bit of an art and typically, they could figure out where the dashed line was using the information
444 available to them within a half a foot plus or minus. That line could be wrong, but they needed evidence as to why
445 the line was wrong so it could be revised.

446
447 Mr. Straus noted this butted right up to his property. He stated historically it was 8 feet deeper up to his property
448 line.

449
450 District Engineer Deutschman stated the amount of water the ditch can handle or carry depended on the size and
451 the slope. He stated larger culverts and ditches were on flatter ground. He stated maybe they got the profile
452 wrong, but they needed further evidence to prove the profile was wrong. He stated Mr. Straus' house was on the
453 south end of the property and maybe it was a matter of getting the water away from the house to the ditch itself
454 and the private systems might not be working correctly.

455
456 Mr. Straus noted the private system would not work right if the ditch was not lower. He did not have the depth.
457 He stated from the photo there was a ditch in his yard in the 1960's which disappeared. He stated historically
458 there was an 8 foot drop at his property line, but in looking at the photo's there was no 8 foot drop. He asked in
459 the ditch behind him what was the slope for the three mile area. District Engineer Deutschman responded it was
460 .2 percent, which would be approximately 20 feet in a mile.

461

462 Mr. Straus believed it was only a foot a mile. In the three miles of ditch, there was only 1-3 feet of slope in those
463 three miles, even if you go to the waterline and not the bottom of the ditch. The highest water level was still 6 feet
464 higher than the bottom of his ditch, which would not be correct.

465
466 Manager Ogata stated what Mr. Straus was proposing was the leveling off of the sharp drop to make it a more
467 gradual slope. He stated they were really talking about changing the slope to six feet.

468
469 District Engineer Deutschman stated the issue was not room for the sloping, but the issue was, is this an
470 improvement or was it a repair.

471
472 Manager Ogata stated the District Engineer would need to revise their as-constructed by six feet. District Engineer
473 Deutschman responded that was correct.

474
475 Manager Waller stated the public system was higher than the private ditch and this caused flooding in Mr. Straus'
476 home. He stated this reminded him of Mr. and Mrs. Rice's property. He asked how did they fix this.

477
478 District Ditch Attorney Kolb stated Mr. Straus was in the ditch area 53-62 and the property had historically been
479 part of the drainage system. If he understood based on the profile as it had been adopted the ditch was in a state
480 of repair, but Mr. Straus believed the ditch was not at the historical condition. The Board could say the profile
481 would remain or they could say if they wanted to assist Mr. Straus they would be looking at an improvement of
482 some type, or the Board could say Mr. Straus had cast a doubt on the as-constructed profile and could ask for
483 further investigation into this to see if there was any further evidence that the grade needed to be adjusted. He
484 believed the starting point would be to do additional investigation to see if the grade was right or wrong.

485
486 President Preiner asked how long would that investigation take. District Engineer Deutschman responded the
487 ground needed to thaw and then they would do test pits.

488
489 Public Ditch Inspector Schmidt responded the reality was this would not be able to be done until the middle of
490 May at the earliest. He stated they needed a dry condition to look for the sub-surface element also. From today's
491 date, they were looking at a couple of months.

492
493 Manager Wagamon asked if the private ditches were deeper than the public ditches. District Engineer
494 Deutschman responded he has not been out onto Mr. Straus' property so he did not know the answer to that.
495 However, he did not doubt what Mr. Straus was saying.

496
497 Public Ditch Inspector Schmidt stated there was little evidence of the private drainage on the surface. Another
498 thing to consider was that there was a petition by CSM to re-route lateral 1 of branch 6 as a part of their
499 construction which was approved and the re-route was done on their property, but that was not connected to
500 Mr. Straus' ditch. He stated that could have been a contributing factor to the increased wetness over time. He
501 stated the ditch did function compared to what it did before the 2012 maintenance work as far as surface water
502 management went, but that was another piece to the puzzle that had many pieces.

503
504 Manager Ogata stated if they did further investigation and the only other option was an improvement, who paid
505 for the improvement. District Ditch Attorney Kolb responded this created a challenge because the Board had
506 adopted a regime to maintaining what they and this would be financed with water district charges, while an
507 improvement would be paid by the property owner who benefitted by the improvement. He stated an
508 assessment would probably need to be done.

509

510 Manager Ogata stated if this was determined to be a private benefit, it would still be done by the individual.
511 Basically, what they were talking about now was to ensure the profile was correct and assuming it was not farther
512 than a couple of feet off, this would be an improvement and it would be the landowner's responsibility for the cost
513 of the improvement.

514
515 Manager Waller stated this was down the track quite a way. He stated the most important piece of information
516 he heard was that the ditch was not connected where it had been connected previously. He stated it appeared
517 Mr. Straus had been left out of the system. He recommended they see how they could solve the problem before
518 they go down the road of how much this would cost the individual landowner in the benefitted area who had
519 been deprived of his drainage.

520
521 President Preiner asked if it had been connected last fall. Public Ditch Inspector Schmidt responded CSM was a
522 reroute of a private ditch and the area was deepened and widened. They dug their ditch to an elevation based on
523 the Comprehensive Wetland Management Plan and in order to connect the ditch per the profile they needed to
524 cut through a large hill to reconnect the ditch and when HEI staff and he went out to look prior to the
525 maintenance where they proposed to put it would have had a steeper and deeper cut as compared to where they
526 located it. He stated it was connected.

527
528 President Preiner asked if they would see relief because of the connection. Public Ditch Inspector Schmidt
529 responded Mr. Straus had indicated there was not much of a relief last year. He stated the issue was deeper than
530 that and he was looking for a grade change.

531
532 Manager Waller asked if anyone had gone down to the Conservation Office for the historical photographs. Public
533 Ditch Inspector Schmidt responded they had several years of historical photos that had been done as part of the
534 historical review memorandum that was part of the repair report. He stated there were photos they might not
535 have had access to.

536
537 Manager Waller asked if they look at the dry or wet years. He stated they had to look at a lot of photographs.
538 District Engineer Deutschman responded they looked at multiple years. He stated they usually did not go to the
539 extent of the FSA photos, but they looked at all of the information they could get their hands on.

540
541 District Engineer Deutschman stated there was a foot per mile fall on this ditch and a ditch could work with this as
542 long as there was depth to get the water off. He believed they needed to start with the profile.

543
544 Public Ditch Inspector Schmidt stated before the maintenance work was done there was a site investigation and
545 that it was determined there were type 1, 2 and 6 wetland on site.

546
547 District Engineer Deutschman noted if there were no wetlands on site they could go deeper, but with wetlands on
548 site and if this was an improvement they would need to mitigate.

549
550 President Preiner stated they knew something was wrong because there was water there. She believed they
551 should proceed with further investigation and keep Mr. Straus informed as to the process and what they intended
552 to do.

553
554 Manager Haake stated Mr. Straus needed to also know the consequences about a private ditch. President Preiner
555 stated they first had to determine what the District was responsible for.

556

557 **Motion by Manager Ogata, seconded by Manager Wagamon, to authorize the District Engineer to further**
558 **evaluate the section in question as to determining whether or not the profile was correct and issue a report**
559 **back to the Board. Motion carried 5-0.**

560
561 Manager Haake stated Mr. Straus really needed to talk to Steve Woods.

562
563 Manager Ogata asked if Mr. Straus understood what they had done. Mr. Straus stated he understood and he
564 appreciated it. He noted there were quite a few private ditches and he would be willing to dig his own ditches at
565 his expense if he could get this permission. He stated he wanted to use the land again.

566
567 Public Ditch Inspector Schmidt stated there was a previous path of the public ditch system in one of the previous
568 incarnations of the ditch. He noted at one time the ditch ran in a different direction and the water drained to
569 Marshan Lake and not Golden Lake. He stated when the existing system was built upon the direction of water
570 changed and there were no records as to what had been done.

571
572 District Ditch Attorney Kolb stated when new portions of ditch ran over old portions of ditch and the two
573 systems were split, there were a lot of remnant ditches that went nowhere and he believed they were careful in
574 not abandoning anything that continued to provide benefit or drainage to the current system and this was
575 something that should be looked at while they were out on the property.

576
577 Manager Waller stated this was an unintended consequence.

578
579 District Engineer Deutschman stated he was not going to look at 891.46 as this was set by Court. He would start
580 from there and go upstream and look at Branch 6, lateral 1.

581
582 **2. Staff Report**

583 **-Update on Discussion Related to House File 66/Senate File 113**

584 District Administrator Belfiori noted this was discussed at a previous meeting. He stated he had talked to the
585 facilitator at BWSR at length, also attorney Deeter, and attorney Kolb.

586
587 District Drainage Attorney Kolb stated there was nothing in the proposal that changes the way RCWD would do
588 business related to ditches. They were already doing what the statutory changes indicated. He pointed out there
589 was some concern about refining the definition of repair and whether the language limited the ability to which a
590 repair could be designed. He stated he did not read it that way because they always related it back to the
591 hydraulic efficiency. He noted this also did not eliminate from the definition the ability to flatten out side slopes
592 so the same level of flexibility remained.

593
594 He noted the other issue was Subdivision 6 and this had been addressed previously in 10-22-32. The statute
595 originally addressed the taking of the property and what happened with the amendment the creation of a multi-
596 stage ditch such as removal of trees, etc. that might have the same effect. In terms of how the RCWD dealt with
597 this, did not change anything. He stated some of the language he would not have used, but he did not believe the
598 language was unclear or the intent was unclear. He stated he had not concerns that this would affect anything
599 and this was not controversial.

600
601 Manager Waller asked if the attorneys had any thoughts about the maintenance bill at the legislature right now.
602 District Drainage Attorney Kolb responded there was another bill that addressed maintenance. He stated he had

603 no background on the bill, but it looked at reconstruction of a ditch versus maintenance. He noted this Board had
604 already drawn that distinction. He believed this bill was very specifically worded for a specific situation.

605
606 District Attorney Smith responded he did not have any further information on this Bill.

607
608 District Administrator Belfiori stated staff would be attending the various meetings regarding this and this would
609 be monitored.

610
611 **-Follow-up on Discussion related to Anoka-Ramsey Judicial Ditch 1, Branch 5 culverts**

612 District Administrator Belfiori stated they had a meeting with the City staff and engineers and identified the
613 findings of the HEI report that was discussed previously and made them aware that the replacement of the
614 culverts in question was the City's responsibility. They requested an additional analysis, which was done. They
615 were encouraged not to delay and to incorporate the HEI recommendations into the project plans.

616
617 **3. Engineer's Report and Timeline**

618 District Engineer Deutschman pointed out a project that was over budget and noted the District would not be
619 responsible for that overrun.

620
621 **4. Manager's Update**

622 Manager Waller stated when they discussed budgeting this year he wanted to discuss how the cost-sharing
623 allocations went to the Counties. He stated they needed to develop some kind of a policy.

624
625 Manager Haake agreed that should be a workshop discussion.

626
627 President Preiner requested Mr. Straus be provided a copy of the Minutes.

628
629 **ADJOURNMENT**

630 ***Motion by Manager Ogata, seconded by Manager Wagamon, to adjourn the meeting at 11:23 a.m. Motion carried 5-0.***

631
632

CONSENT AGENDA

The following items will be acted upon without discussion in accordance with the staff recommendation and associated documentation unless a Manager or another interested person requests opportunity for discussion:

Table of Contents

PERMIT APPLICATIONS REQUIRING BOARD ACTION

No.	Applicant	Location	Plan Type	Recommendation
12-066	City of Shoreview	Shoreview	Street & Utility Plan	CAPROC 4 items
13-004	Dominium	St. Anthony	Final Site Drainage	CAPROC 8 items
13-005	Roseville Properties Management Co.	Roseville	Final Site Drainage	CAPROC 8 items
13-012	White Bear Township	White Bear Township	Bridge/Culvert Crossing	CAPROC 4 items

It was moved by Manager _____ and seconded by Manager _____, to approve the consent agenda as outlined in the above Table of Contents in accordance with RCWD District Engineer's Findings and Recommendations, dated March 8 & 20, 2013.

**RICE CREEK WATERSHED DISTRICT
CONSENT AGENDA**

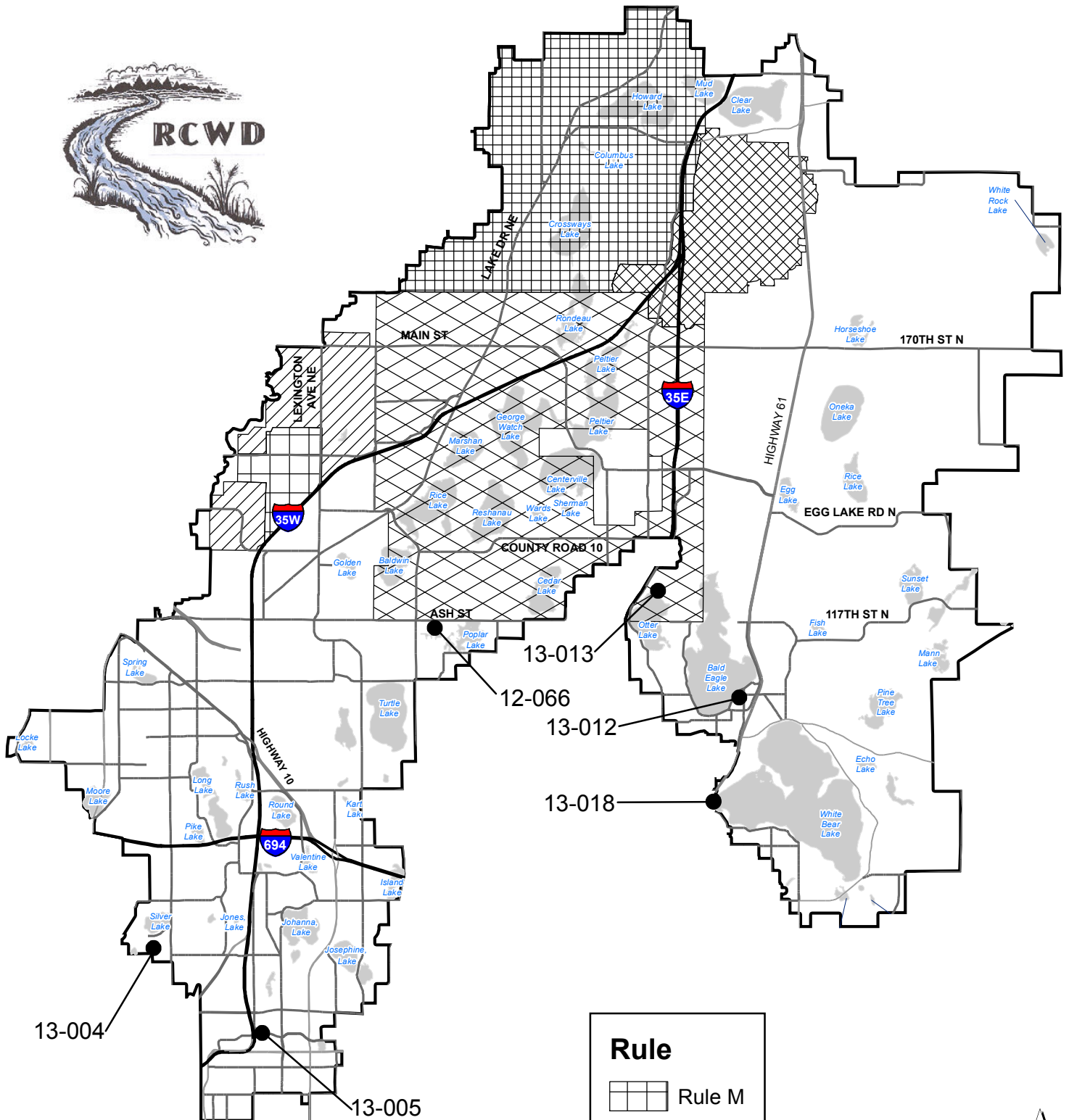
March 27, 2013

It was moved by _____ and seconded by _____ to Approve, Conditionally Approve Pending Receipt Of Changes, or Deny, the Permit Application noted in the following Table of Contents, in accordance with the District Engineer’s Findings and Recommendations, as contained in the Engineer’s Findings and Recommendations, as contained in the Engineer’s Reports, dated March 8 & 20, 2013.

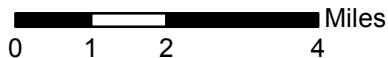
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<u>Permit Application No.</u>	<u>Applicant</u>	<u>Page</u>	<u>Recommendation</u>
Permit Location Map		33	
12-066	City of Shoreview	34	CAPROC
13-004	Dominium	38	CAPROC
13-005	Roseville Properties Management Co.	42	CAPROC
13-012	White Bear Township	46	CAPROC

Rice Creek Watershed District



Permit Reviews
3/27/2013 Agenda



Rule	
	Rule M
	RMP-1
	RMP-2
	RMP-3
	RMP-4



Maple Grove
 P: 763.493.4522
 F: 763.493.5572



Permit Application Number:

12-066

Permit Applicant Name:

Bucher Park Improvements

Applicant:

City of Shoreview
Terry Schwerm
4600 Victoria Street N
Shoreview, MN 55126
Ph: 651-490-4610
tschwerm@shoreviewmn.gov

Consultant:

Paul Hudalla
WSB & Associates, Inc.
701 Xenia Avenue S, Suite 300
Minneapolis, MN 55416
Ph: 763-541-4800
Fx: 763-541-1700
phudalla@wsbeng.com

Candace Amberg
WSB & Associates, Inc.
Ph: 763-541-4800
camberg@wsbeng.com

Project Name: Bucher Park Improvements

Purpose: FSD – Final Site Drainage, S&UC – Street & Utility Plan

Site Size: 22.42± acre site, 2.83± acres existing and 3.49± acres proposed impervious area; Over 1 acre of disturbed area

Location: East of Mackubin Street, one block south of County Road J, Shoreview

T-R-S: NW ¼, Section 1, T30N, R23W

District Rule: C, D, E

Recommendations: CAPROC

It is recommended that this Permit Application be given Conditional Approval Pending Receipt of Changes (CAPROC) and outstanding items related to the following items

Rule D – Erosion and Sediment Control

1. Submit the following information per Rule D.4:
 - (c) Name, address and phone number of party responsible for maintenance of all erosion and sediment control measures.
 - (g) Provide documentation that an NPDES Permit has been applied for and submitted to the Minnesota Pollution Control Agency (MPCA).
 - (h) A Storm Water Pollution Prevention Plan for projects that require an NPDES Permit.

Administrative

2. Permit application must be signed by the successful bidder.
3. Send one final, signed full sized plan set to the District, and e-mail a pdf copy to both the District and the District Engineer.
4. The applicant must execute a maintenance agreement for Maintenance of Stormwater Management Facilities acceptable to the District for proposed onsite stormwater management

features. A draft document should be submitted to the District for consideration prior to execution. The process requires submittal of the final original signed agreement to the District. If the applicant needs an original signed agreement, then send two endorsed agreements.

Stipulations: The permit will be issued with the following stipulations as conditions of the permit. By accepting the permit, applicant agrees to these stipulations

1. An as-built survey of all stormwater BMPs (ponds, rain gardens, trenches, swales, etc.) is to be submitted to the District for verification of compliance with the approved plans.

Exhibits:

1. Revised plan sheet L3, dated 3-6-2013 and received 3-12-2013. Replaces all previous L3 sheets.
2. Revised plan sheet L3, new plan sheets, L6, L8, D3, D4, dated February 2013, received 1-24-2013.
3. Plan set containing sheets L1-L3, dated and received 8-28-2012.
4. Permit application, dated and received 8-20-2012.
5. Permit application checklist, no date, received 8-28-2012.
6. Soils report dated 7-26-2012 and received 8-17-2012.
7. Project narrative, dated and received 8-17-2012.
8. Incomplete receipt notice, no date, sent 8-21-2012.
9. Hydrology calculations for proposed and existing conditions, including the HydroCAD report dated 8-27-2012 for the 2-year, 10-year, 100-year rainfall and 10-day snowmelt events, and drainage maps (no date), received 8-28-2012.
10. RCWD redevelopment worksheet, dated 8-26-2012 and received 8-28-2012.
11. Response letter, dated 8-27-2012 and received 8-28-2012.
12. Response letter, dated and received 1-24-2013.
13. Revised HydroCAD report, dated and received 3-12-2013.
14. Floodplain Calculations, no date, received 3-12-2013.
15. Transmittal email with comment responses, dated and received 3-12-2013.

Findings:

1. Description – The proposed improvements at Bucher Park, (located in Shoreview, east of Mackubin Street and one block south of County Road J) include the construction of a shelter adjacent to the play area, renovation of the existing play area, reconstructing the trail system throughout the park, relocating the existing park shelter to south of baseball fields, reconstruction and expansion of existing drainage basin and construction of a new sidewalk on east side of Mackubin Street from the park to County Road J. The trail and sidewalk construction is classified as public linear; the remainder of the improvements are classified as redevelopment. The park is 22.42± acres in size, with 2.83± acres of impervious surface. The project proposes to add 0.66± acres of impervious surface for a total post-developed impervious area of 3.49± acres. The project proposes to disturb an additional 0.31± acres of impervious surface. The overall

disturbance for the project will be greater than 1 acre. The project is adjacent to a DNR public water wetland referred to as Evergreen Ponds (also referred to as Kerry Pond). The OHW of the pond has not been established. The pond discharges through the main trunk of RCD-8, which discharges to lower Rice Creek.

2. Stormwater – There are multiple standards for the Water Quality and Volume Control (hereafter Volume) requirement for the project. The trail portion of the project meets the exemption requirement of 11(c), except for the sidewalk along Mackubin Street, which does not have the required 5-foot buffer width. The sidewalk is classified as an access road; therefore the Volume requirement for this portion is 0.8-inches over the proposed sidewalk area (3,130 S.F. or 0.07± acres), for a Volume requirement of 188 cubic feet for this portion of the project. A composite curve number of 2.11 inches was calculated by using the remaining net new impervious area, (0.59± acres, subjected to 2.8-inches requirement) and the disturbed impervious (0.31± acres, subjected to the 0.8-inch requirement). These areas include some exempt trail. The composite curve number was then applied to the non-exempt portion of the project which includes the new ball field shelter, (4,430 S.F) and the relocated park shelter (2,150 S.F.), for a Volume requirement of 937 cubic feet for this portion of the project. Both Volume requirements were calculated used a 0.9 co-efficient, giving a total project Volume requirement of 1,125 cubic feet. This methodology of Volume calculation is acceptable to the District Engineer.

The Applicant is proposing the BMPs described below:

Proposed BMP Description	Location	Pretreatment:	Volume provided
Pond with filtration bench	Southwest corner of the park	Dead storage portion of the pond	1,755± cubic feet

The applicant is proposing to meet the volume requirement by expanding an existing basin, and adding a filtration shelf at the southwest corner on site. The filtered volume is based on the water collected between the tile invert of 890.6 and the overflow berm in the center of the basin at 891.1. The soils on site are primarily HSG B at the surface, but a layer of peat and organic clay approximately 5-feet below the surface makes infiltration infeasible, thus filtration is considered acceptable and the applicant has complied with the volume requirements of Rule C.5. The applicant has provided rate control to Evergreen Ponds for all storm events, in compliance with Rule C.6. Adequate pre-treatment has been provided. The applicant has complied with the freeboard requirements of Rule C.8(e).

3. Wetlands – The project will not impact the DNR public water wetland adjacent to the project.
4. Floodplain – The regulatory floodplain for Evergreen Ponds is 892.2 (NAVD88), based on the 10-day event of the District-wide model. The existing basin, which is hydraulically connected to Evergreen Ponds, has an existing floodplain storage of 2,249 cubic feet. The proposed project will increase the floodplain storage in the basin to a total of 10,526 cubic feet. Thus the applicant is in compliance with the Rule E requirements.
5. Erosion Control – Proposed erosion control methods include silt fence, rock construction entrances, and rip rap. An NPDES permit is required for the project. The information listed under the Erosion and Sedimentation Control Recommendations needs to be submitted. Otherwise, the project complies with RCWD Rule D requirements.
6. Documenting Easements and Maintenance Obligations – Applicant must execute an agreement with the RCWD for the maintenance of the stormwater facilities to ensure proper functioning.
7. Previous Permit Information – Previous improvements to the park occurred under file 89-R21.

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Registered Professional Engineer under the laws of the state of Minnesota.

Greg Bowles 3-20-13

Greg Bowles
MN Reg. No 41929

K. MacDonald 3-20-13

Katherine MacDonald
MN Reg. No 44590



WORKING DOCUMENT: This Engineer's report is a draft or working document of RCWD staff and does not necessarily reflect action by the RCWD Board of Managers.

Permit Application Number:

13-004

Permit Project Name:

Silver Lake Village Senior Apartments

Applicant:

Ron Mehl
Dominium Inc.
2905 Northwest Blvd., Suite 100
Plymouth, MN 55441
Ph: 763-354-5500
Fx: 763-354-5519
rmehl@dominiuminc.com

Consultant:

Todd McLouth
Loucks Associates
7200 Helmlock Lane
Maple Grove, MN 55369
Ph: 763-424-5505
Fx: 763-424-5822
tmclouth@loucksassociates.com

Project Name: Silver Lake Village Senior Apartments

Purpose: The project consists of removing the existing building and adjacent bituminous parking lots. The site will then be redeveloped with a four story senior housing facility with underground parking.

Site Size: Three parcels totaling 2.61± acres, with 1.0± acres of new impervious surface area and 0.9± acres of redeveloped impervious surface area.

Location: 38th Avenue and Apache Lane, St. Anthony

T-R-S: SW ¼ Section 31, T30N, R23W

District Rule: C, D

Recommendations: CAPROC

It is recommended that this Permit Application be given Conditional Approval Pending Receipt of Changes (CAPROC) and outstanding items related to the following items.

Rule D – Erosion and Sediment Control

1. Submit the following information per Rule D.4:
 - (c) Name, address and phone number of party responsible for maintenance of all erosion and sediment control measures.
 - (g) Provide documentation that an NPDES Permit has been applied for and submitted to the Minnesota Pollution Control Agency (MPCA).
 - (h) A copy of the SWPPP for the project.

Administrative

2. Send one final, signed full sized plan set to the District, and e-mail a pdf copy to the District and District Engineer.

3. If required by the City of St. Anthony, the applicant must submit a draft legal document providing satisfactory form and description granting ponding and flowage easements over all onsite ponds, wetlands, and other hydrologic features.
4. The applicant must submit a Draft Declaration for Maintenance of Stormwater Management Facilities acceptable to District for proposed onsite stormwater management features.
5. The applicant must submit a written statement from the owner of the regional ponds indicating that the applicant has permission to discharge stormwater to the regional ponds.
6. The owner of the regional ponds must execute a maintenance agreement (if publicly owned) or a declaration of maintenance (if privately owned) for Maintenance of Stormwater Management Facilities acceptable to District staff for those stormwater management features. A draft document should be submitted to the District for consideration prior to execution or recording. The maintenance agreement process requires submittal of the final original signed agreement to the District. If the applicant needs an original signed agreement, then two endorsed agreements should be submitted.
7. The applicant must submit a copy of the receipt from the County Recorder and signed/notarized legal document(s).
8. The applicant must submit the appropriate cash surety amount of \$1,500 along with an original executed escrow agreement acceptable to the District. If the applicant desires an original copy for their records, then two original signed escrow agreements should be submitted.

Stipulations: The permit will be issued with the following stipulations as conditions of the permit. By accepting the permit, applicant agrees to these stipulations

1. An as-built survey of all stormwater BMPs (ponds, rain gardens, trenches, swales, etc.) is to be submitted to the District for verification of compliance with the approved plans.

Exhibits:

1. Plan set (6 pages) including sheets 1 of 1, C1-2, C3-1, C3-2, C4-1, and C8-1, dated 1-16-2013 and received 1-17-2013. Revised plan sheets C4-1 and C8-1, were dated and received 3-14-2013.
2. HydroCAD modeling, with a project narrative and Existing (2) and proposed drainage maps, dated 1-14-2013 and received 1-17-2013.
3. Permit application, dated 1-10-2013 and received 1-17-2013.
4. Permit checklist, undated and received 1-17-2013.
5. Revised HydroCAD modeling with a project narrative and Existing (2) and proposed drainage maps, dated 1-28-2013 and received 1-29-2013.
6. Email with Soil Borings and Location Map, dated and received 2-15-2013.
7. Geotechnical report, dated 2-28-2013 and received 3-5-2-13.

8. Revised project narrative, dated 1-28-2013 and received 3-14-2013.

Findings:

1. Description – This project is classified as a redevelopment, and will involve the demolition and removal of the existing impervious surfaces and the construction of a four story building, an underground parking garage, and an adjacent parking lot. Stormwater will drain to one of the biofiltration basins running along the north, south, or east sides of the building and enter into city storm sewer on 39th Ave NE, 38th Ave NE, or Apache Lane, respectively. Stormwater will ultimately drain to the Lower Rice Creek. The applicant submitted a \$2,000 application fee which corresponds to 1-2.5 acres of new/redeveloped impervious surface.
2. Stormwater – The Rule C.5 Water Quality and Volume (hereafter Volume) requirement is for 2.8-inches over the new impervious area of 1.0 acres and for 0.8 inches over the reconstructed impervious area of 0.9 acres for a total Volume requirement of 11,500± ft³, based on the simple method and using a run-off coefficient of 0.9.

Proposed BMP Description	Location	Pretreatment:	Volume provided
Biofiltration Basin 1a (178± ft long)	Runs along the N side of the NW portion of building	Sump Manhole	Provides 950± ft ³ of treatment
Biofiltration Basin 1b (61± ft long)	Runs along the N side of the NE portion of building	Sump Manhole	Provides 294± ft ³ of treatment
Biofiltration Basin 2 (71.5± ft long)	Runs along the E side of the NE portion of building	Sump Manhole	Provides 405± ft ³ of treatment
Biofiltration Basin 3 (133± ft long)	Runs along the E side of the SE portion of building	Sump Manhole	Provides 702± ft ³ of treatment
Biofiltration Basin 4 (108± ft long)	Runs along the S side of the S portion of building	Sump Manhole	Provides 470± ft ³ of treatment
South Pond, North Pond, & Pond B	Approximately 400, 500, and 1,500 feet west of the parcel, respectively	N/A	Provide treatment for the 2.5 inch rainfall event

The proposed BMPs are five biofiltration basins and the existing regional ponds. The bio-filtration basins were maximized, given the City of St. Anthony Village’s requirement that the basins be located a minimum of 10 feet from the building. The bio-filtration basins provide approximately 2,821± ft³ of treatment. The regional ponds (maintained under permit 04-019) were sized to treat 2.5 inches over a 90% impervious surface from these specific parcels (approximately 17,243 ft³). Soil borings indicate HSG D soils and no groundwater was encountered at boring depths of 26 feet, therefore infiltration is not

considered feasible. The applicant has maximized bio-filtration, with the remainder of the Volume requirement met by the previously approved regional stormwater ponds designed to provide treatment for the entire site at a build out of 90% impervious surface (RCWD Permit 04-019). Thus the applicant has met the sequencing and Volume requirement of Rule C.5.

Modeling from the 100-year rainfall event shows an overall increase of 0.26 cfs flowing to the regional pond; however, the regional stormwater ponds were designed to provide rate control for this site. Therefore, the submitted modeling indicates that the applicant has rate controlled the 2, 10 & 100-year, 24-hour rainfall events, and the 10-day snowmelt event for the site and is in compliance with Rule C.6.

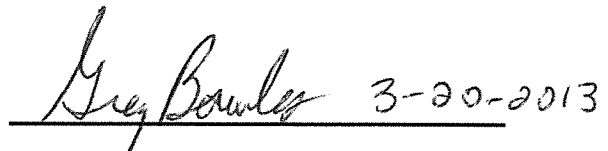
Based on the provided modeling, the highest water level elevation of the biofiltration basins during a 100-year rainfall event is 965.08± ft. The building has multiple floor elevations, with a first floor elevation of 967.3 feet, and a garage entry of 957.5 feet. The garage opening is in a separate drainage area from the pond (stormwater will drain away from the building before entering the garage); therefore, both low floor elevations are in compliance with Rule C.8(e).

3. Wetlands – The project does not propose any wetland impacts.
4. Floodplain – This site is not in a regulatory floodplain.
5. Erosion Control – Proposed erosion control methods include silt fence, a rock construction entrance, bio-logs, inlet protection devices, erosion control blanket, and turf establishment. The area of disturbance is greater than 1 acre, so an NPDES permit is required for the project. The information listed under the Erosion and Sedimentation Control Recommendations needs to be submitted. Otherwise, the project complies with RCWD Rule D requirements.
6. Documenting Easements and Maintenance Obligations – Applicant needs to provide draft maintenance declaration for review, a maintenance agreement must be executed for the regional stormwater ponds by their owner, and receipt showing recordation once approved.
7. Previous Permit Information – RCWD Permit 04-019 was for the redevelopment of the shopping center.

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Registered Professional Engineer under the laws of the state of Minnesota.

 3-20-13

Chris Buntjer
MN Reg. No 48745

 3-20-2013

Greg Bowles
MN Reg. No 41929



WORKING DOCUMENT: This Engineer's report is a draft or working document of RCWD staff and does not necessarily reflect action by the RCWD Board of Managers.

Permit Application Number:

13-005

Permit Applicant Name:

Roseville Business Center

Applicant:

Mark Rancone
Roseville Properties Management Co.
2575 N. Fairview Avenue, Suite 250
Roseville, MN 55113
Ph: 651-638-0864
Fx:
mrancone@roseprop.com

Consultant:

Randal Tweden
Solution Blue, Inc.
350 Saint Peter St., Suite 220
St. Paul, MN 55102
Ph: 651-294-0038
Fx:
rtweden@solutionblue.com

Mitchell Cookas
Solution Blue, Inc.
Ph: 651-294-0038
mcookas@solutionblue.com

Project Name: Roseville Business Center

Purpose: FSD – Final Site Drainage; Reconstruction of parking lot, including the provisions of stormwater treatment including water quality and rate control via bio-retention areas

Site Size: 2 parcels - 4.4± and 4.5± acres; 79,863± S.F. of disturbed impervious area

Location: 1975 & 1995 County Road B2, Roseville

T-R-S: NW ¼, Section 9, T29N, R23W

District Rule: C, D

Recommendations: CAPROC

It is recommended that this Permit Application be given Conditional Approval Pending Receipt of Changes (CAPROC) and outstanding items related to the following items:

Rule C - Stormwater

1. On final drawings, applicant should clarify locations of all curb cut locations. Either indicate the opening symbol with a key, or individually label each opening.
2. Applicant must provide additional energy dissipation (such as splash blocks) below the retaining wall openings.
3. The applicant must remove TSS to the extent practicable from drainage to the north.

Rule D – Erosion and Sediment Control

4. Per Rule D.4(g), provide documentation that an NPDES Permit has been applied for and submitted to the Minnesota Pollution Control Agency (MPCA).

Administrative

5. Send one final, signed full sized plan set to the District, and e-mail a pdf copy to both the District and the District Engineer.

6. The applicant submitted a Draft Declaration for Maintenance of Stormwater Management Facilities on 3-4-2013 and comments were returned to the applicant. Applicant must address these comments.
7. The applicant must submit a copy of receipt from County Recorder and signed/notarized legal document(s).
8. The applicant must submit the appropriate cash surety amount of \$1,500 along with an original executed escrow agreement acceptable to the District. If the applicant desires an original copy for their records, then two original signed escrow agreements should be submitted.

Stipulations: The permit will be issued with the following stipulations as conditions of the permit. By accepting the permit, applicant agrees to these stipulations

1. An as-built survey of all stormwater BMPs (ponds, rain gardens, trenches, swales, etc.) is to be submitted to the District for verification of compliance with the approved plans before return of the surety.

Exhibits:

1. Plan set containing sheets C1-C11, dated and received 3-4-2013. Replaces previous sheets C1-C-11.
2. Plan set containing sheets C1-C11, and DA1, printed on 1-15-2013 and received 1-18-2013.
3. Original permit application, dated and received 1-18-2013. Revised applicant signature dated 1-31-2013, received 2-4-2013.
4. Permit application checklist, no date, received 1-18-2013.
5. Stormwater management report, dated 1-16-2013 and received 1-18-2013.
6. Geotechnical report, dated 9-18-2012 and received 1-18-2013.
7. Revised stormwater management information, dated and received 1-30-2013.
8. Revised stormwater management information, dated and received 3-4-2013.
9. Draft Declaration for Maintenance of stormwater facilities, dated and received 3-4-2013.
10. Revised stormwater management information, dated and received 3-14-2013.

Findings:

1. Description – The project involves the reconstruction of a shared parking lot between the properties located at 1975 & 1995 County Road B2, in Roseville. The same company owns both parcels, which are 4.5± and 4.4± acres respectively. The project will disturb 79,863± S.F. of existing impervious area, decreasing it by 6,000± S.F. The project area has two key discharge points: sheet flow overland to the north and to the south to city storm sewer on the north side of Country Road B2. Ultimately all flow travels to Jones Lake via the MnDOT right-of-way and RCD-5. The applicant has submitted a \$2,000 application fee, which corresponds to 1-2.5 acres of new/redeveloped impervious surface.
2. Stormwater – The project is classified as a redevelopment which will decrease the amount of impervious area, and will not disturb 50% of the existing impervious area on either property. As such, the Water Quality and Volume (hereafter Volume) requirement for the project is 0.8-inches

over the redeveloped impervious area of 73,863± S.F, for a total volume requirement of 4,432± cubic feet, using a 0.9 runoff co-efficient.

The Applicant is proposing two basins in the center of the parking lot as described below:

Proposed BMP Description	Location	Pretreatment:	Volume provided
Surface infiltration/ filtration rain gardens	North basin	River rock behind curb cuts	2,004± cubic feet
Surface infiltration/ filtration rain gardens	South basin	River rock behind curb cuts	3,528± cubic feet

The geotechnical report indicated that soils on site consist of SC/ML/SM (HSG B and C soils) fill to a depth of 13-17 feet, with perched groundwater at a depth of 20-24 feet. Given the nature of the fill which includes HSG C soils infiltration in not considered feasible per C.5(d). The basins are designed with a total of 4.25 feet of engineered soil (sand and organic material), less a 3-inch top layer of river rock. The outlet is a riser pipe located 1-foot below the surface. Storage and slow infiltration will be achieved in the lower 3.25 feet of media. As water rises to within a foot of the surface, the water pressure will cause filtered water to discharge through the riser pipe. The applicant is treating a portion of the building roofs in lieu of the parking lot to the north. This is considered acceptable based on following reasons:

- It is preferred by the City of Roseville and RCWD Rule C.6, to maintain existing drainage patterns (rates) to key discharge locations, and as there is no feasible way to outlet a BMP to the north (infiltration has been deemed infeasible on site). The reasons include lack of elevations and storm sewer to outlet a drain tile, and the presence of underground utilities to the north.
- The applicant is treating additional impervious area in lieu of the pavement. The total treated impervious area is 110,930 SF, which is greater than the required 73,819 SF.
- The additional treated impervious area, plus the TSS removal of the northern portion of the parking lot will provide an acceptable level of water quality treatment.

The applicant must remove TSS from this drainage area to the extent practicable. The District Engineer finds that the applicant has maximized infiltration and met the sequencing and Volume requirements (in aggregate) of Rule C.5.

The applicant has provided rate control at both key points, and thus met the requirements of Rule C.6. The applicant has meet the freeboard requirements of Rule C.8(e) by providing more the 0.5-feet of freeboard between the emergency overflows and the building entrances.

3. Wetlands –There are no wetlands located within the project area.
4. Floodplain – The site is not in a regulatory floodplain.
5. Erosion Control – Proposed erosion control methods include silt fence, and inlet protection. An NPDES permit is required for the project. The SWPP Plan is located on sheets C2 and C3. Mick Schulz of R.J. Ryan Construction, 1100 Mendota Heights Road, Mendota Heights, 5120 (651)-365-7021 is responsible for erosion control. The information listed under the Erosion and Sedimentation Control Recommendations needs to be submitted. Otherwise, the project complies with RCWD Rule D requirements.

- 6. Documenting Easements and Maintenance Obligations – Applicant must address comments on the draft maintenance declaration, and provide a receipt showing recordation once approved. (Roseville does not require easements on private stormwater management facilities).
- 7. Previous Permit Information – No previous permit information was found for this site.

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Registered Professional Engineer under the laws of the state of Minnesota.

Greg Bowles 3-20-13

Greg Bowles
MN Reg. No 41929

Katherine MacDonald 3-20-13

Katherine MacDonald
MN Reg. No 44590



WORKING DOCUMENT: This Engineer's report is a draft or working document of RCWD staff and does not necessarily reflect action by the RCWD Board of Managers

Permit Application Number: 13-012
Permit Applicant Name: East Street Culvert Replacement

<u>Applicant:</u> White Bear Township Attn: Eric Klingbeil 1281 Hammond Road White Bear Township, MN 55110 Ph: (651) 429-5827 Fx: (651) 426-2258 eric.klingbeil@tkda.com	<u>Consultant:</u> TKDA Attn: Eric Klingbeil 444 Cedar Street, Suite 1500 St. Paul, MN 55101 Ph: 651-292-4451 Fx: 651-292-0083 eric.klingbeil@tkda.com
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Project Name: East Street Culvert Replacement

Purpose: B/CC – Bridge / Culvert Crossing; Replacement of an existing culvert which has begun to show signs of failing

Site Size: 1000 SF of disturbed area

Location: East Street, between Buffalo Street and Short, White Bear Township

T-R-S: NE ¼, Section 11, T30N, R22W

District Rule: C, D, G, I

Recommendations: CAPROC,

It is recommended that this Permit Application be given Conditional Approval Pending Receipt of Changes (CAPROC) and outstanding items related to the following items.

Rule D – Erosion and Sediment Control

1. Per Rule D.4(c), submit the name, address and phone number of party responsible for maintenance of all erosion and sediment control measures.
2. The applicant must provide an additional plan sheet showing temporary and permanent erosion control measures, including location and quantity of rip-rap.

Administrative

3. Permit application must be signed by the successful bidder
4. Send one final, signed full sized plan set to the District, and e-mail a pdf copy to both the District and the District Engineer.

Stipulations: The permit will be issued with the following stipulations as conditions of the permit. By accepting the permit, applicant agrees to these stipulations:

1. An as-built survey of the culvert size and inverts is to be submitted to the District for verification of compliance with the approved plans.

Exhibits:

1. Plan set, no date and received 2-6-2013.

2. Permit application, dated 2-4-2013 and received 2-6-2013.
3. Cover letter narrative, dated 2-1-2013 and received 2-6-2013.

Findings:

1. Description – The project involves the replacement of a failing 42-inch CMP culvert at the RCD 11 crossing at East Street, just upstream of Bald Eagle Lake. The project proposes to replace the culvert with the same size pipe. See further description below. The project will disturb approximately 1000 square feet of impervious surface, and restore the area to existing conditions.
2. Stormwater – A small amount of impervious area will be disturbed in the public street due to the culvert replacement. The culvert is being replaced with the same size and invert elevations, thus per the public linear guidance document, the District Engineer finds that the culvert replacement will not have a significant or adverse impact, and thus there is no water quality and volume control requirement for the project. The project surface will be restored to existing conditions, thus there will be no change in rate.
3. Wetlands – There are no wetlands located within the project area.
4. Floodplain – The 100-year regulatory flood elevation for Bald Eagle Lake is 912.5 (NAVD88). The site will not impact a regulatory floodplain.
5. Erosion Control – The applicant has indicated in the narrative that the areas will be restored to existing conditions. The applicant must provide additional details about the types and locations of both the temporary and proposed erosion control measures, including the rip-rap. An NPDES permit is not required for the project. The information listed under the Erosion and Sedimentation Control Recommendations needs to be submitted. Otherwise, the project complies with RCWD Rule D requirements.
6. Bridges and Culvert Crossings – The applicant has proposed two options: Option 1 is to replacing the culvert using the same alignment which includes a 45 degree bend; Option 2 is to revise the alignment to eliminate the bend. The applicant has indicated that Option 2 is preferable, and the District Engineer concurs. Thus, this ER recommends the approval of the Option 2 alignment, which will not adversely impact the flow. The applicant will match the existing elevations, and replace the pipe with a 42-inch RCP or 42-inch CMP, depending on the bid prices. Either will maintain the existing capacity. Navigation capacity is not applicable. The project will not changes the size of the pipe, which would meet the requirements of Rules G.3(b) and (c). Compliance with Recommendation 2 above will also comply with G.3(d). .
7. Drainage Systems – The analysis above of Rule G satisfactorily addresses the requirements of District Rule I.
8. Documenting Easements and Maintenance Obligations – The District is applying the principle of resolution 2012-003 to White Bear Township, and not requiring the drainage a flowage easement within the public road right-of-way.
9. Previous Permit Information – No previous permit information was found for this site.

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Registered Professional Engineer under the laws of the state of Minnesota.

 3-8-2013

Greg Bowles
MN Reg. No 41929

 3-8-13

Katherine MacDonald
MN Reg. No 44590

ITEMS REQUIRING BOARD ACTION

1. Consider Oneka Ridge Golf Course Project Easements. (Phil Belfiori)

Date: March 20, 2013
To: RCWD Board of Managers
From: Kyle Axtell, Water Resource Specialist
Subject: Bald Eagle Lake Watershed Stormwater Reuse/Phosphorus Load Reduction Project
25-Year Term, 25-Year Access and Temporary Construction Easement Approval

BACKGROUND

A key requirement of our grant agreement with BWSR for this project (aka Oneka Ridge Golf Course Water Reuse Irrigation Project) is that the landowner subject portions of the property containing the project to a 25-Year easement in favor of the RCWD and City of Hugo, sufficient to provide for long-term maintenance and operation of the system. To be clear, the golf course itself will be responsible for day-to-day operations and routine maintenance of this project. In the event the golf course was to close or redevelop, the City and RCWD would then be required to come in and operate the system.

Oneka Ridge Golf Course's ownership has verbally agreed to the terms of the easement as they are found attached to this memo. The easement has been reviewed by RCWD legal counsel and has been found to be of sound form. Board action is required to authorize execution of the document by the RCWD. One executed, staff will obtain the final signature from Oneka Ridge Golf Course and the document is already on the agenda of Hugo's April 1, 2013 City Council meeting.

The document must be recorded with Washington County and submitted to BWSR by April 30, 2013. If this action is not completed, BWSR has the authority to cancel the grant agreement with the RCWD and Hugo for this project.

RECOMMENDATION

RCWD Staff recommends that the Board accept and approve the Easement as presented and authorize the President to execute the document.

Proposed motion:

Manager _____ moves to accept and approve the Easement on the property of the Oneka Ridge Golf Course in Hugo, Minnesota, authorizing the Board President to execute the document.

Attachment: Proposed Easement

EASEMENT
On the Property of the Oneka Ridge Golf Course
Washington County, Minnesota

Legal Descriptions of Burdened Properties: See Attachment A

THIS EASEMENT is entered into by and among Oneka Ridge LLC, 1850 Cedar Ave, White Bear Lake, MN 55110, a Minnesota limited liability corporation (“Owner”), the City of Hugo, a political division of the State of Minnesota (“Hugo”), and the Rice Creek Watershed District (RCWD), a special-purpose governmental body established under and with authorities specified at Minnesota Statutes Chapters 103B and 103D.

WITNESS:

- A. Owner owns in fee simple certain real property located at 5610 - 120th Street North, Hugo MN, in Washington County, Minnesota (the “Burdened Property”).
- B. The easement here conveyed includes a temporary construction easement allowing for grading and excavation, installation of water management structures including basin outlet structures and diversion dikes, pumps, conveyances, irrigation and subsurface infiltration systems and related appurtenances (“Construction Easement”); a 25-year term easement allowing for operation, inspection, maintenance, replacement and reconstruction of the improvements (“Term Easement”); and a 25-year term easement providing for ingress to and egress from the Construction and Term Easement Areas (“Access Easement”).
- C. The purpose of this easement is to facilitate the efforts of the RCWD and Hugo to manage stormwater volume and reduce pollutant loadings to surface waters including Bald Eagle Lake and to provide Owner with an effective system for irrigating and managing storm flows on its property, all by installation of stormwater collection, irrigation and infiltration improvements and all pursuant to purposes set forth in Minnesota Statutes §§103B.201 and 103D.201.

THEREFORE, in consideration of the payment of one dollar and other good and valuable consideration, and the mutual covenants and conditions set forth herein, the receipt and sufficiency of which hereby are acknowledged, Owner conveys and warrants to the RCWD and Hugo, as grantees (“Grantees”), the Construction, Term and Access Easements as specifically set forth herein.

1. Easement Description. The Construction, Term and Access Easements are on those portions of the Burdened Property as delineated on the site plan at Attachment B to this agreement (“Construction, Term and Access Easement Areas”).

2. Improvements. “Improvements” means the changes within the Term Easement Area pursuant to plans approved by Owner under separate agreement, including grade changes, diversion dikes, a stormwater collection basin, forcemains including lift stations, connection to Owner’s irrigation system, a drain tile infiltration system, and appurtenances thereto. “Improvements” also includes changes or additions to the original work as Grantees or Owner may within their authority undertake to maintain or restore the effectiveness of the Improvements. To facilitate its use and development of the Burdened Property, Owner, at its cost, may realign or relocate elements of the Improvements with the RCWD’s written approval, not to be unreasonably withheld. Any realignment or relocation must, in the RCWD’s judgment, preserve the intent and performance of the Improvements. The RCWD’s approval may include reasonable conditions for that purpose. The realignment or relocation will be effective on when an amendment to this easement is recorded or registered.

3. Construction Easement Rights. The Construction Easement is a temporary easement on the Burdened Property to allow for construction activity within the Construction Easement Area. Owner conveys to Grantees and their employees, agents, contractors and subcontractors, until **December 31, 2014** or until construction, demobilization and site stabilization are complete, if earlier, the right to use the Construction Easement Area for construction purposes, including equipment staging and use; materials stockpiling; the installation and maintenance of erosion and sediment control measures; and the performance of work including grading, excavating, installation of structures, revegetation of disturbed areas and other actions as necessary or convenient for the work. Grantees will restore all disturbed areas materially to preexisting condition except for the Improvements. If the RCWD determines that the temporary occupation of additional area adjacent to the Construction Easement Area is necessary or convenient for construction of the “Improvements”, Owner will cooperate with the RCWD to define such additional area and place reasonable terms on its occupation. The Parties may adjust the location of the Construction Easement Area by amending this easement.

4. Term Easement Rights. Owner conveys the following rights within the Term Easement Area to Grantees, for a period ending on December 31, 2039 or 25 years after the date the RCWD confirmed in writing that the Project was functional and had been placed into operation, whichever is earlier. If by operation of the latter clause the Term Easement will terminate before December 31, 2039, Owner or its successor in title may present a copy of the RCWD’s written confirmation to Grantees and request that Grantees execute and file on the deed an instrument establishing the earlier termination date. At their cost, Grantees will execute and file such an instrument consistent with the terms of the written confirmation. The Parties may adjust the location of the Term Easement Area by amending this easement. Grantees may:

- a. Maintain the Improvements.
- b. Enter the Term Easement Area at reasonable times to monitor and inspect the Improvements and measure their performance. Grantees may install and maintain equipment for these purposes, at locations approved by Owner, approval not to be unreasonably withheld.
- c. Enter the Term Easement Area at reasonable times to operate, maintain, repair and replace the Improvements to the extent of its authority to do so. Owner will be responsible to provide electricity for operation of the Improvements by Owner or Grantees for the duration of the Term Easement. If the RCWD determines that temporary occupation of additional area adjacent to the Term Easement Area is necessary or convenient for

maintenance, repair or replacement work, Owner will cooperate with Grantees to define such additional area and place reasonable terms on its occupation.

d. Install, maintain and replace signage conveying information about the Improvements, of a design and at locations approved by Owner, approval not to be unreasonably withheld.

e. In consultation with Owner, arrange for interested third parties to view the Improvements.

5. Access Easement Rights. Owner conveys to Grantees the right to cross and recross the Access Easement Area in order to access and exit the Construction and Term Easement Areas, for a period ending on December 31, 2039 or 25 years after the date the RCWD confirmed in writing that the Project was functional and had been placed into operation, whichever earlier. If by operation of the latter clause the Access Easement will terminate before December 31, 2039, Owner or its successor in title may present a copy of the RCWD's written confirmation to Grantees and request that Grantees execute and file on the deed an instrument establishing the earlier termination date. At their cost, Grantees will execute and file such an instrument consistent with the terms of the written confirmation. Grantees may cross the Access Easement Area with any vehicles or equipment authorized to be used within the Construction or Term Easement Area. Grantees will not physically alter, stage or stockpile on, or otherwise occupy the Access Easement Area, and will repair any damage to that area caused by Grantees' use of it. The Parties may adjust the location of the Access Easement Area by amending this easement. Grantees will not withhold concurrence provided the adjustment does not materially burden Grantees' ability to access and egress from the Construction and Term Easement Areas.

6. Owner's Reserved Rights and Limitations on Owner's Use. Owner reserves all rights and privileges associated with ownership of the Burdened Property except as provided in this easement, including the right to sell, transfer or subdivide all or part of the Burdened Property subject to this easement. Owner will inform all others who exercise any right on the Burdened Property by or through Owner of the nature of and constraints imposed by this easement. Owner may not engage in certain uses and activities as follows, with prohibitions applicable to actions by Owner as well as actions of third parties pursuant to Owner's authorization or forbearance:

a. Owner may not alter the Improvements or engage in any use of, or activity on, the Construction, Term or Access Easement Area that would materially interfere with Grantees' ability to exercise their rights under this easement.

b. Owner may not construct or install any surface or subsurface structure, paved surface, utility or other improvement on, under or above the Term Easement Area. Notwithstanding, Owner may construct and maintain a paved golf cart path across the Term Easement Area provided it is not more than 10 feet in width and is not in a location that disturbs the surface footprint or function of the irrigation or infiltration system. Grantees may disturb the path to carry out authorized activity under this easement but will repair any disturbance.

c. Owner may not place or store within the Term Easement Area any petroleum or other chemical in liquid or solid form that could enter the irrigation or infiltration system if released. The application of fertilizers, herbicides or other chemicals to playing areas specifically to manage and maintain those areas, in accordance with application instructions, is permitted.

- d. Owner may not plant trees or shrubs within the Term Easement Area without prior approval of the Grantees, approval not to be unreasonably withheld. Grantees will use best efforts to avoid damage to said trees and shrubs. However, if any trees or shrubs must be damaged, trimmed or removed to facilitate Grantees' authorized activities under this easement, Grantees are not responsible for loss or replacement.
7. No Public Access Granted. Nothing in this easement authorizes any public right of access onto the Burdened Property. The right of entry conveyed to Grantees under this easement shall be limited to authorized representatives, agents, contractors and subcontractors of Grantees.
8. Owner's Warranty. Owner warrants as follows:
- a. Owner has the full power to convey this easement according to its terms. This conveyance does not constitute a default under any indenture, agreement, mortgage or other instrument to which Owner is a party and does not contravene any law to which Owner is subject.
- b. No actions, suits or proceedings at law or in equity, administratively or otherwise, have been instituted or threatened that affect any of the Easement Areas.
- c. No lien for services or materials (mechanic's or materialmen's lien) affects any of the Easement Areas.
- d. Owner has not handled, stored or disposed of any hazardous material on or affecting the Construction or Term Easement Area in violation of any federal, state or local law, and to the best of Owner's knowledge no prior owner, tenant, occupant or licensee of the Burdened Property has handled, stored or disposed of any hazardous material on or affecting the Construction or Term Easement Area in violation of any federal, state or local law. For the purpose of this paragraph, "hazardous material" means any asbestos, urea-formaldehyde foamed-in-place insulation, polychlorinated biphenyl, petroleum, crude oil or any other hazardous pollutant, waste, material or substance as defined in the federal Comprehensive Environmental Response Compensation and Liability Act of 1980, as amended, the Federal Resource Conservation and Recovery Act of 1976, as amended, or the Minnesota Environmental Response and Liability Act, as amended.
9. Regulatory Authorities Not Affected. This easement does not replace or diminish the regulatory authority of any public body, including Hugo and the RCWD, as it may apply to the Burdened Property or any activity on it.
10. Property Transfer. Owner will inform the transferee of the existence of this easement in conjunction with any transfer of interest, including an easement or a leasehold interest, in all or part of the Burdened Property. Owner will give fifteen (15) days' prior written notice to Grantees of a transfer of all or any part of a property interest in the Burdened Property.
11. Taxes, Liens and Insurance. Owner retains all financial obligations and bears all costs and liabilities of any kind accruing from fee ownership of the Burdened Property. Owner will pay all taxes and assessments levied against the Burdened Property. Grantees may, but are not obligated to, make any payment of taxes or assessments levied against the Burdened Property in place and on behalf of Owner and will be reimbursed by Owner for such amounts. Each of the Parties is solely responsible to maintain liability and other insurance for its own uses of and authority over the Burdened Property.

12. Waiver. A decision by any party not to exercise its rights of enforcement in the event of a breach of a term of this easement is not a waiver of such term, any subsequent breach of the same or any other term, or any of the party's rights under this easement. The delay or failure to discover a breach or to exercise a right of enforcement as to such breach does not impair or waive a party's rights of enforcement, all of which shall be cumulative and not exclusive.

13. Acts Beyond Party's Control. A party will not exercise its right of enforcement against another party for injury or alteration to the Burdened Property resulting from: (a) a cause beyond the reasonable control of that party, including without limitation fire, flood, a precipitation event with a statistical recurrence interval of 100 years or more, storm, or earth movement resulting from natural forces or the act of a third party; or (b) any prudent action taken by the party under emergency conditions to prevent, abate or mitigate significant injury or alteration resulting from such a cause.

14. Notices. Any notice or other communication that either party must give to another will be in writing and delivered to the following address or such other address as a party designates by written notice to the others:

Janice Rae Arcand, President & Co-Owner
Oneka Ridge LLC
1850 Cedar Ave
White Bear Lake, MN 55110

Phil Belfiori, Administrator
Rice Creek Watershed District
4325 Pheasant Ridge Drive NE #611
Blaine, MN 55449-4539

Bryan Bear, Administrator
City of Hugo
14669 Fitzgerald Avenue North
Hugo, MN 55038

15. Miscellaneous. This easement is governed by the laws of the State of Minnesota. The Parties may amend this easement only by a writing duly executed by the Parties and meeting all requirements of law. The terms of this easement shall bind and benefit the Parties and their respective personal representatives, heirs, successors, assigns and all others who exercise any right by or through them and shall run with the Burdened Property according to its terms. Grantees bear the cost of duly recording this easement at the Washington County Office of the Recorder/Registrar.

16. Relationship of Grantees. Notwithstanding any manner in which the rights and responsibilities of Grantees are expressed herein, Hugo and the RCWD each may exercise any and all rights under this easement independently of the other, or they may exercise such rights in coordination. Hugo and the RCWD are independent entities in exercising any right or discharging any responsibility under this easement except as their relationship may be formalized independently of this easement. No manager, council member, employee, representative, agent, contractor or consultant of either party acts in any respect as the agent or representative of the other. Nothing in this easement constitutes the agreement of one party to be liable for an act or omission of the other within the meaning of Minnesota Statutes § 471.59, subdivision 1a(a). This easement does not create a joint powers board under Minnesota Statutes § 471.59, subdivision 11.

17. Recitations Incorporated. All recitations are a part of this agreement.

CITY OF HUGO

By: Tom Weidt, Mayor

Date: _____

By: Michele Lindau, Clerk

Date: _____

STATE OF MINNESOTA)
)SS
COUNTY OF WASHINGTON)

On this _____ day of _____, 2013, before me, a Notary Public, personally appeared Tom Weidt, Mayor of the City of Hugo, a Minnesota municipality within the State of Minnesota, and that said instrument was signed on behalf of the City of Hugo by the authority of the City Council of the City of Hugo, and Fran Miron acknowledged said instrument to be the free act and deed of said City of Hugo.

Notary Public

STATE OF MINNESOTA)
)SS
COUNTY OF WASHINGTON)

On this _____ day of _____, 2013, before me, a Notary Public, personally appeared Michele Lindau, City Clerk of the City of Hugo, a Minnesota municipality within the State of Minnesota, and that said instrument was signed on behalf of the City of Hugo by the authority of the City Council of the City of Hugo, and Michele Lindau acknowledged said instrument to be the free act and deed of said City of Hugo.

Notary Public

This document prepared by:
Smith Partners P.L.L.P.
400 Second Avenue South #1200
Minneapolis MN 55401

ATTACHMENT A

LEGAL DESCRIPTIONS OF AFFECTED PARCELS

Parcel A

Washington County, MN Parcel ID# 32-031-21-42-0001:

The West Half of the Southeast Quarter of Section 32, Township 31, Range 21.

Parcel B

Washington County, MN Parcel ID# 32-031-21-31-0001:

The East Half of the Southwest Quarter of Section 32, Township 31, Range 21, excepting the following described property:

The Northwest Quarter of the Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 32, Township 31, Range 21.

Parcel C

Washington County, MN Parcel ID# 32-031-21-31-0003:

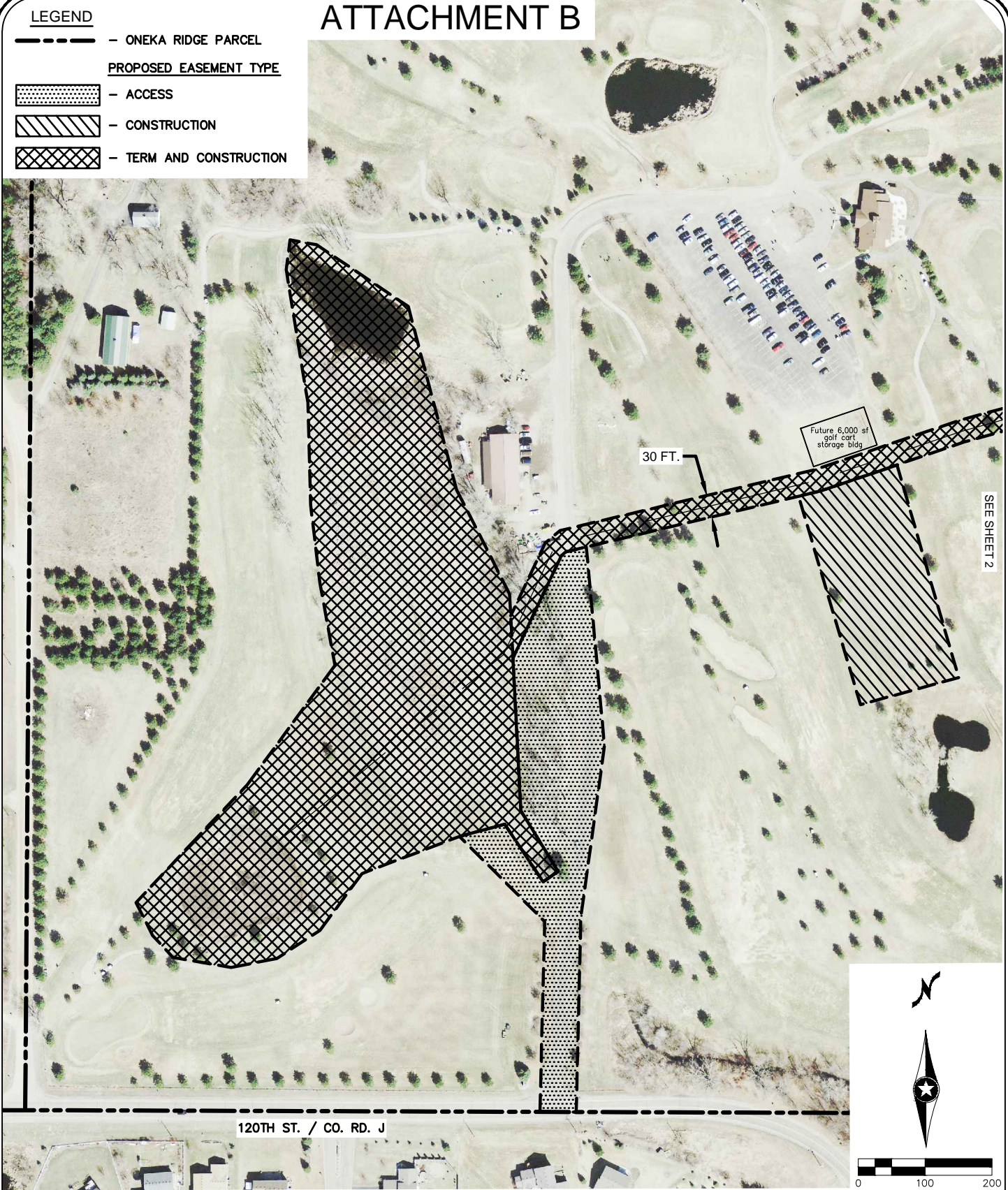
The Northwest Quarter of the Southeast Quarter of the Southwest Quarter, and the Southwest Quarter of the Northeast Quarter of the Southwest Quarter, all in Section 32, Township 31, Range 21, Except that part thereof described as follows:

Beginning at the Southwest corner of the Northwest Quarter of the Southeast Quarter of the Southwest Quarter of said Section 32; thence northerly, along the west line of said East Half of the Southwest Quarter, a distance of 937.13 feet; thence easterly, deflecting to the right 90 degrees 00 minutes, a distance of 240 feet; thence southerly, parallel with said west line of the East Half of the Southwest Quarter to the south line of said Northwest Quarter of the Southeast Quarter of the Southwest Quarter; thence westerly, along said south line to the point of beginning.

LEGEND

- ONEKA RIDGE PARCEL
- PROPOSED EASEMENT TYPE**
- ACCESS
- CONSTRUCTION
- TERM AND CONSTRUCTION

ATTACHMENT B



701 Xenia Avenue South, Suite 300
 Minneapolis, MN 55416
 www.wsbeng.com

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Oneka Ridge Golf Course Easement Exhibit for the City of Hugo, Minnesota and Rice Creek Watershed District





WSB Project No. 1904-350 Date: 03-12-13

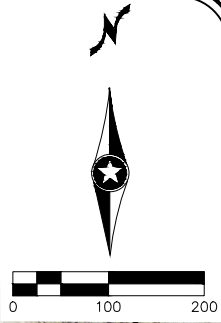
I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA

Pete R. Willenbring, PE
 DATE: 02/28/13 LIC. NO.: 15998

ATTACHMENT B

LEGEND

-  - ONEKA RIDGE PARCEL
- PROPOSED EASEMENT TYPE**
-  - ACCESS
-  - CONSTRUCTION
-  - TERM AND CONSTRUCTION



SEE SHEET 1

30 FT.



701 Xenia Avenue South, Suite 300
 Minneapolis, MN 55416
 www.ws beng.com

763-541-4800 - Fax 763-541-1700
 INFRASTRUCTURE ■ ENGINEERING ■ PLANNING ■ CONSTRUCTION

Oneka Ridge Golf Course
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Pete R. Willenbring, PE
 DATE: 02/28/13 LIC. NO: 15998

ITEMS REQUIRING BOARD ACTION

2. Consider Resolution 2013-06 receiving the draft Anoka County Ditch 53-62 Repair Report. (Phil Belfiori)

To: Board of Managers **Date:** March 21, 2013
From: Phil Belfiori
Subject: Status and timeline for Anoka County Ditch (ACD) 53-62 Repair Proceedings

Background / Discussion

The following is a brief status and possible timeline (pending approval of attached resolution which formally accepts receipt of the draft Repair Report for ACD 53-62) for remaining tasks related to the ACD 53-62 Repair Proceedings:

1. Complete and receive draft Repair Report (Today -March 2013)
2. Board workshop discussion on repair report and charge/Water Management District (WMD) discussion (April 8th workshop)- discuss the potential of reaching a consensus regarding a preferred repair alternative and cost allocation.
3. Public informational meeting on draft repair report (Mid-late April)
4. Based on comments/direction from Board workshop and informational meeting, Board directs completion of Final Repair Report with cost allocation (April 24)
5. Complete local government concurrence process under 103D.621 (May 2013)
6. Board accepts and files final repair report. Notice giving that final report is on file and available for review. Board sets final hearing on repair report, cost allocation and water management district charges. The public hearing on the Repair Report - after concurrence from all of the cities. (June /July 2013)
7. Hold public hearing and receive comments (close public comment and continue hearing for adoption of findings and order) (July 2013)
8. Adopt findings and order directing repair (or dismissing proceedings) (August 2013)
9. Certify charges for repair (By September 15, 2013)
10. Implement repair (???? 2014/2015)

At the April 8th workshop, the Board will be discussing a preferred repair alternative and cost allocation. Once the Board reaches consensus on a repair alternative and cost allocation, the Repair Report can then be finalized to reflect a recommended repair alternative consistent with the Board's consensus. Following submission of the final Repair Report, we will set and notice a public information meeting and necessary public hearings on both the recommended repair alternative and the allocation of costs.

When the Repair Report is filed, the drainage authority must set a time, by order, for a hearing on the Repair Report. The hearing must occur no more than 30 days after the date of the order. At least ten days before the hearing, the drainage authority must give notice by mail of the time and location of the hearing to the petitioners, owners of property, and political subdivisions likely to be affected by the repair recommended in the Repair Report. The District had adopted additional notice requirements which must be followed –the District’s requirements also require publication. Depending on these additional requirements, the 30-day restriction could pose a problem. The 30-day timing requirement is not mandatory, so we can take more time to ensure proper notice.

Since the allocation of costs will also be considered and adopted at the hearing and will result in Water Management Charges, there is an additional notice required by 103D.729, subd. 3. Ten days prior to a hearing or decision on projects that will result in Water Management Charges, the District shall provide notice to the city, town, or county within the affected area. The city, town, or county receiving notice may submit concerns relating to the implementation of the project. The managers must consider the concerns of the city, town, or county in the decision on the project.

At the hearing, the Board will make findings and order the repair to be made if it determines from the Repair Report and the evidence presented that the repairs recommended are necessary for the best interests of the affected property owners. The order will direct the District staff to proceed with actions necessary to repair the system and to prepare and award a contract for the repair option adopted by the Board. The order will note that continued proceedings, including implementation of the repair, will be conducted under alternative authority.

Attachments: Resolution 2013-06

RESOLUTION NO. 2013-06

**RICE CREEK WATERSHED DISTRICT
BOARD OF MANAGERS**

**RECEIVING THE DRAFT ENGINEER’S REPAIR REPORT
FOR BRANCH 1 OF ANOKA COUNTY DITCH 53-62
AND DIRECTING BOARD AND PUBLIC REVIEW**

Manager _____ offered the following Resolution and moved its adoption, seconded by Manager _____:

WHEREAS, the Rice Creek Watershed District Board of Managers (“Board”), Drainage Authority for Anoka County Ditch 53-62 (ACD 53-62) adopted a Resolution petitioning itself to examine the repair of ACD 53-62 and directing the District Engineer, to prepare a Repair Report for filing with the Board;

WHEREAS, the District Engineer submitted a Repair Report for the repair of ACD 53-62. The Board did not act on that report. Rather, the Board directed the District Engineer to prepare a proposed Resource Management Plan for the purpose of developing a Comprehensive Wetland Protection and Management Plan that would integrate municipal land use planning and natural resource management planning for the area served by the drainage system;

WHEREAS, following the development and adoption of the Resource Management Plan, Comprehensive Wetland Protection and Management Plan, and associated rules, the Board directed a supplement to the initial Repair Report be prepared by Houston Engineering to develop alternative repair configurations for Branch 1 of ACD 53-62 that would be consistent with the adopted management plans;

WHEREAS, during development of the Repair Report for Branch 1 of ACD 53-62, the Board addressed the need to correct the drainage system record to reflect the substantial changes to the watershed of the drainage system and the multiple reconfigurations and reconstructions of various prior drainage systems which has resulted in the current function and alignment of ACD 53-62. A summary of the historical changes in the watershed of the drainage system is contained in the engineer’s Historical Review Memorandum, dated October 19, 2011 as revised on February 15, 2012.

WHEREAS, upon notice and proceedings, the Board adopted a functional grade and alignment of ACD 53-62 consistent with the recommendations found in the engineer’s Historical Review Memorandum.

WHEREAS, the Board has amended its Watershed Management Plan to establish a water management district for the drainage area of ACD 53-62 and to include the repair of ACD 53-62 as a Watershed District project.

WHEREAS, Houston Engineering completed a Draft Repair Report for Branch 1 of ACD 53-62, has delivered it to the Board, and orally presented a summary of the report to the Board.

THEREFORE, to facilitate Board and public review of the Draft Repair Report, as well as final revisions of the Report, the Rice Creek Watershed District Board of Managers makes the following:

ORDER

- A. The Board of Managers received the Draft Engineer’s Repair Report for the repair of Branch 1 of ACD 53-62.
- B. The Board intends that further proceedings for the repair of ACD 53-62 shall occur utilizing the additional authorities provided in Minnesota Statutes Section 103D.621 Subd. 4. Therefore, the Board directs its Administrator to coordinate municipal concurrence with the Cities of Blaine, Circle Pines and Lexington.
- C. The Board directs the Engineer to prepare a presentation of the Draft Repair Report, including the recommended repair alternative and recommended allocation of costs for a Board workshop at the earliest opportunity.
- D. The Board of Managers directs its administrator, with the assistance of staff and consultants, to notice and conduct an informational meeting on the proposed repair of Branch 1 of ACD 53-62, following the Board’s workshop presentation of the proposed repair.

The question was on the adoption of the Resolution and there were __ yeas and __ nays as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
WALLER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HAAKE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
OGATA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WAGAMON	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PREINER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Upon vote, the Chair declared the Resolution _____.

Dated: March 27, 2013

Harley Ogata, Secretary

* * * * *

I, Harley Ogata, Secretary of the Rice Creek Watershed District, do hereby certify that I have compared the above Resolution with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcript thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 27th day of March, 2013.

Harley Ogata, Secretary

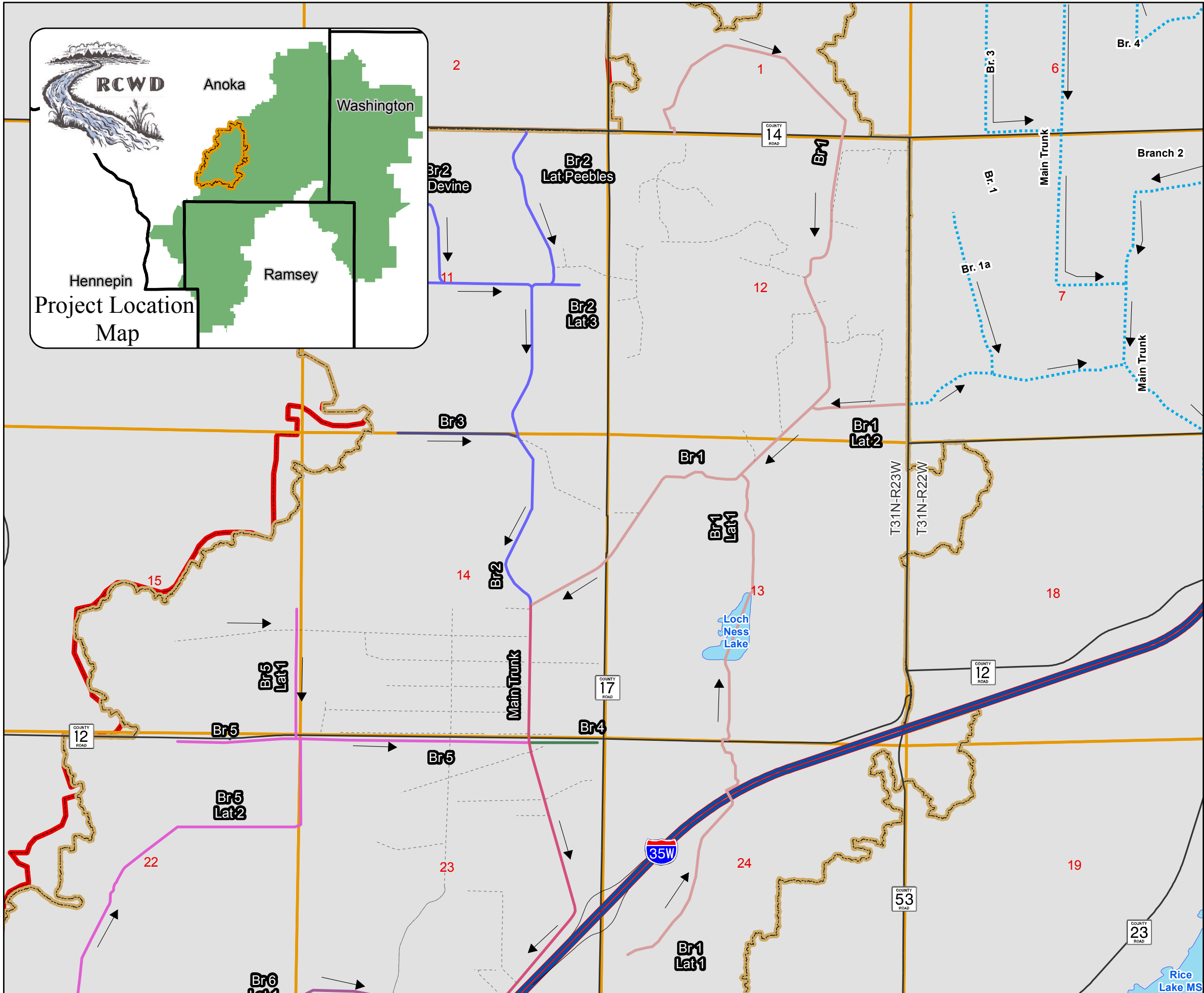
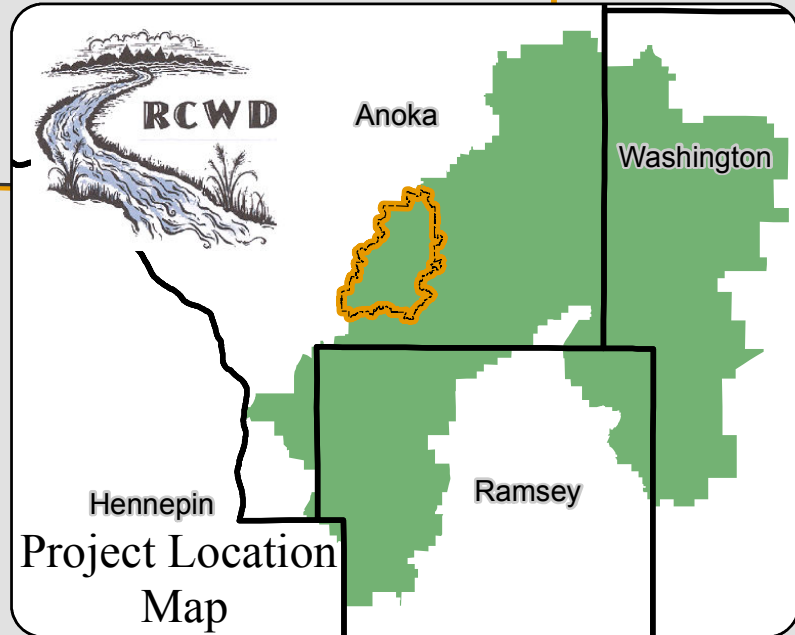
EXECUTIVE SUMMARY

Twenty-three (23) public drainage systems totaling an estimated 121 miles are managed by the RCWD. These public drainage systems were generally constructed during the late 1800's and early 1900's with the sole purpose of developing agriculture and providing drainage to agricultural land. During the past several decades, public priorities have shifted, and additional laws, rules, and regulations have been implemented, making the management of public drainage systems within the RCWD more complex.

One of the public drainage systems managed by the RCWD is Anoka County Ditch 53-62 (ACD 53-62) located within the northeastern portion of the RCWD (**Figure ES-1**). In 2011, the Board of Managers authorized the District Engineer to supplement the initial Repair Report to assist the Board with determining the extent of repair for the drainage system and to obtain more detailed analysis of the potential repair alternatives. The Board of Managers directed the District Engineer (the Engineer) to develop the supplemental information to the Repair Report.

The ACD 53-62 Branch 1 Repair Report includes the evaluation of three alternatives (**Table ES-1**). The alternatives are intended to represent a reasonable range of options for providing some "level of service" for the drainage of agricultural land currently in "active" agricultural production and to predictably manage and convey surface water runoff resulting from future growth and development. The range of alternatives is also intended to describe the probable range of environmental consequences, benefits and costs.

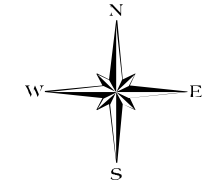
Rice Creek Watershed District Anoka County Ditch 53-62 Repair Report



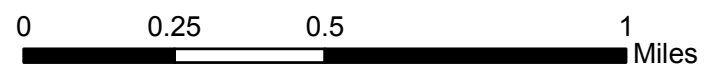
ACD 53-62 Branches

- Branch 1
- Branch 2
- Branch 3
- Branch 4
- Branch 5
- Branch 6
- Main Trunk

- - - - Private Open Channels
- ▶ Current Flow Direction
- - - - Anoka County Ditch 10-22-32
- Water Management District
- Section Lines
- Twp Range
- RCWD Boundary



Note: Alignment based on survey data provided by RCWD, Houston Engineering, Inc. and RCWD LiDAR data.



Sources: MN DNR Data Deli, TLG

Figure ES-1 Consolidated System - ACD 53-62					
Scale: AS SHOWN	Drawn by: SMW	Checked by:	Project No.: 5555-080.03	Date: 12/14/12	Sheet: 1 of 1
			Maple Grove		
			P: 763.493.4522 F: 763.493.5572		

Table ES-1 Description of the Alternatives Evaluated Within the Repair Report

Alternative No.	Alternative Name	Description
1	Existing System Conveyance Alternative	Maintains the current (circa 2010) hydraulic capacity characterized by the return period (and duration) of the runoff event confined by the minimum bankfull capacity along portions of the drainage system and the width of the floodplain. This alternative reflects the current conveyance of the system, but requires maintenance of components to prevent further deterioration. Specific maintenance items include: 1) removal of sediment from roadway culverts; 2) removal of beaver dams; and 3) removal of deadfalls and other vegetative blockages throughout the system.
2	As-Constructed and Subsequently Improved Alternative	Restores drainage system function to a level of service consistent with the as-constructed and subsequently improved condition on the current consolidated alignment. This is achieved through repairs to the consolidated alignment at grades of the as-constructed and subsequently improved profile. This alternative also contains all of the maintenance items included in Alternative 1 and reflects reestablishing the historic function of the system
3	Resource Management Plan Alternative	Agricultural and future stormwater system, which preferably maintains and/or enhances wetland and other ecological conditions, or minimizes potential adverse impacts. The public drainage system is generally repaired to a profile lower than the existing condition but above the as-constructed and subsequently improved condition. The purpose is to maximize drainage for agricultural and urban stormwater uses, while minimizing impacts to open water wetlands. Impacts to a Mn/DNR Public Waters Wetland are avoided through a realignment of a portion of the open channel. This is also the only repair alternative modeled and analyzed for the future, full developable build-out condition based on the City of Blaine’s Comprehensive Land Use Plans, incorporating the stormwater portions of the new (2013) District rules.

Computer models were used to estimate the rate and amount of runoff for the various alternatives and to estimate the elevation of the water surface within the open channel portions of the ACD 53-62 system. These same models were used to assess the performance of the open channel portions of the drainage system and evaluate the ability to provide agricultural drainage and the conveyance of stormwater once the land develops.

The Repair Report includes the evaluation of a variety of potential consequences associated with implementing each of the alternatives. The consequences include the potential to drain or restore wetlands, modifications to water levels within public water wetlands located along the public drainage system, and the impact to high quality wetlands and unique ecological habitats.

The incremental net increase in altered wetland hydrology due to the repair alternatives ranges from 21 to 44 acres. Required wetland mitigation resulting from these lateral drainage effects ranges from 0.8 to 5.3 acres. The RMP alternative has the least wetland impacts.

The potential benefits of the alternatives were described and each project feature assigned to one of three types 1) undeveloped lands (i.e., agricultural benefit); 2) current and future developed lands (i.e., urban stormwater management benefit); and 3) ecological, environmental and irrigation benefit. Some of these benefits were quantified, while others were qualitatively described.

The potential benefits and the cost associated with each benefit were identified within the Preliminary Opinion of Probable Construction Cost (POPCC) for each of the alternatives. These benefits and the corresponding costs for each alternative were then categorized as: 1) Public Drainage System Infrastructure; 2) Public Drainage System Realignment; 3) Public Drainage System Wetland Mitigation; and 4) Engineering/Legal/Administration/Contingency. The POPCC includes the cost of wetland and other mitigation.

Table ES-2 provides a summary of the benefits of the various alternatives, while **Table ES-3** summarizes the pros and cons of each alternative. With the exception of the Existing System Conveyance Alternative (#1), each of the alternatives provides an improved level of service to agricultural lands. The Resource Management Plan Alternative (#3) represents the best value alternative resulting in improved open channel performance consistent with the

definition of a repair. This alternative also has the least environmental consequences. The Resource Management Plan Alternative is also the best value alternative for providing the management of stormwater runoff following development.

Based upon the information within the Repair Report, the Engineer recommends construction of the Resource Management Plan Alternative (#3) to serve immediate agricultural drainage and future stormwater management needs. The Engineer further recommends:

- The open channel of the ACD 53-62 public drainage system should be excavated to the RMP Profile where it is current above the Profile, at the locations shown in **Figure ES-2**;
- The realignment of the Lateral 1 open channel south of I-35W should be constructed to avoid impacts to PWW 02-0586 at the time of development of the underlying parcels;
- Culverts should be replaced at the locations shown in **Figure ES-2**;
- Minor maintenance should occur along the entire public drainage system to remove vegetative blockages and other local obstructions, as well as repair eroded channels and banks. The clearing and grubbing of corridor at the top of bank along one side of the public ditch system should occur to make the open channel accessible for assessment and maintenance (this cost is included in the POPCC);
- The ongoing condition assessment and maintenance of the current open channel system should continue, and the portions needing repair should be modified based upon the condition assessment;
- The effects of activities modifying the 100-year floodplain should be closely scrutinized. These areas must be reserved for the storage and conveyance of surface water runoff for the 100-year flood. The estimated width for the floodplain areas is based on a preliminary sizing of the conveyance system, for the amount of stormwater runoff resulting from future growth;
- The District should consider how to manage and maintain the legal drainage system following the construction of the project if it is converted to a municipal system;
- Additional surveying and engineering are needed for the recommended repair alternative prior to the preparation of construction plans, specifications and bid documents; and
- Easements will need to be acquired for the construction of the realignment on Branch 1 Lateral 1 upstream of I-35W. These easements can be acquired from the landowners through the District permitting process at the time of development.

The recommended alternative is expected to restore drainage efficiency to all lands served by the system compared to current conditions. The repair project will provide a viable outlet compared to the current condition.

The Engineer concludes that the repairs represented by implementing the Engineer's Recommended Alternative are necessary to meet current agricultural drainage and future stormwater management needs based on considerations presented within this Repair Report, and that the repairs are in the best interest of the property owners. The recommended alternative is believed to balance the need to provide serviceable drainage to agricultural land, the future need to manage stormwater runoff, and the desire to minimize environmental impacts while implementing the best value alternative.

The repairs recommended by the Engineer are consistent with the objectives and policies identified with the current Watershed Management Plan, as updated and approved by the Board of Water and Soil Resource.

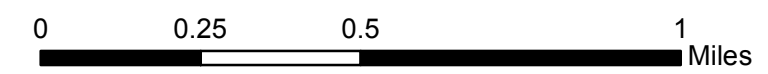
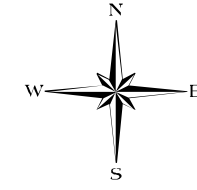
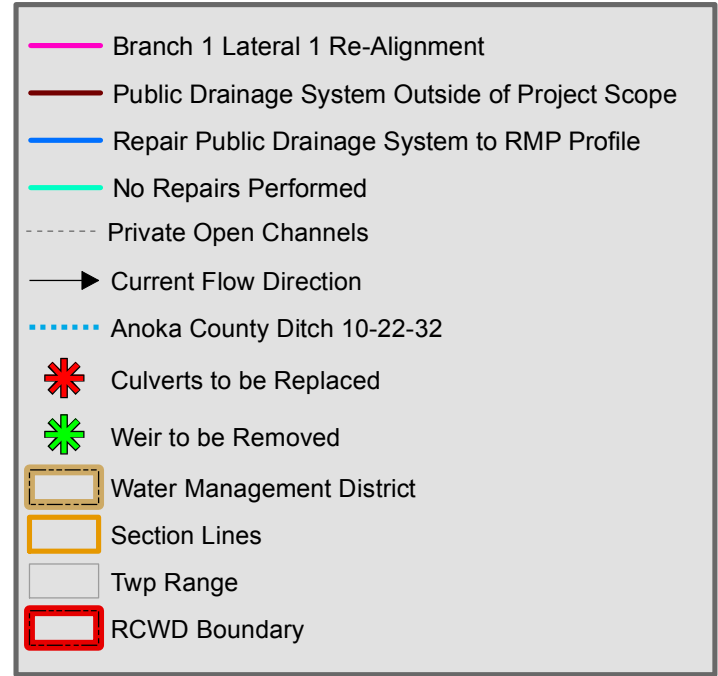
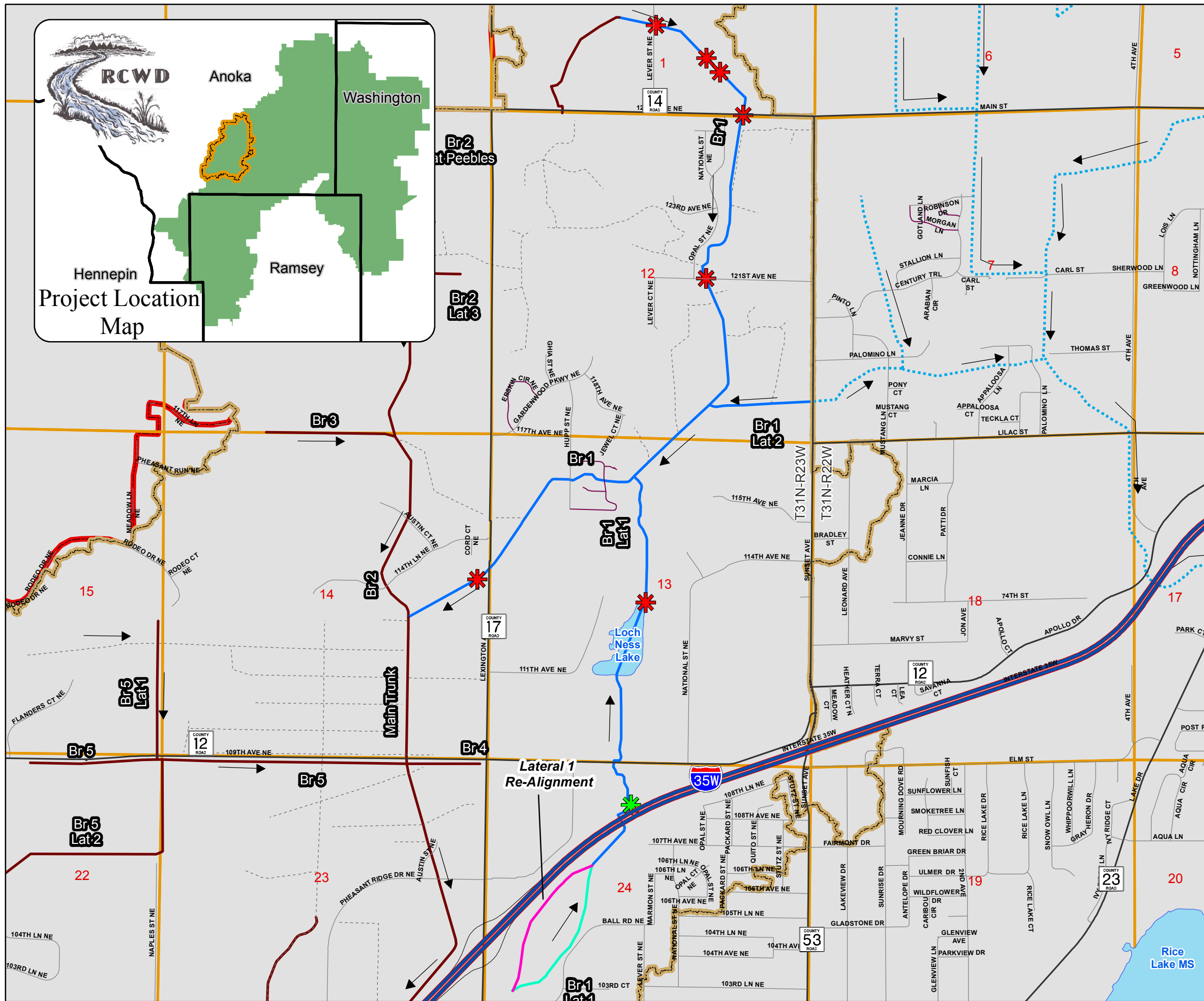
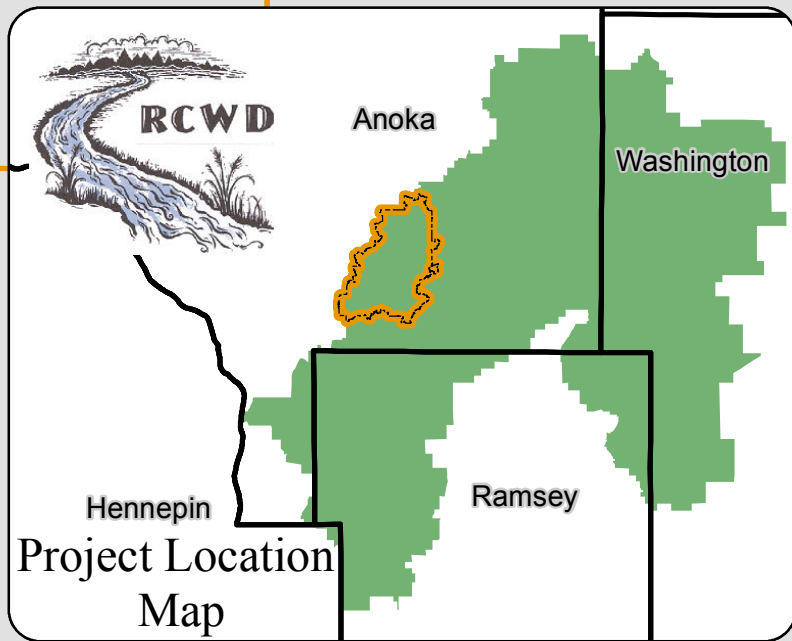
Table ES-2 Relative Ranking of the Alternatives

Alternative	Relative Ranking			Relative Negative Impact to Resource			Capital Cost Rank
	Natural Resource and Ecological Enhancements	Agricultural Drainage Level of Service	Urban Stormwater Conveyance	Water Quality	Wetlands	Volume	
Alternative 1: Existing Systems Conveyance	Low	Low, due to Depth to Drain	Low	Same for all alternatives (Existing Land Use)	Lowest	Same for all alternatives (Existing Land Use)	3 Lowest
Alternative 2. As Constructed and Subsequently Improved	Low	Highest	High		High		1 (Highest)
Alternative 3. Resource Management Plan	Low	High	High		Low		2

Table ES-3. Summary of Alternative Pro's and Con's.

Criteria	Alternative 1 Existing System Conveyance (ESCA)	Alternative 2 As-Constructed and Subsequently Improved (ACSIA)	Alternative 3 Resource Management Plan
Technical Feasibility	The alternative is not technically feasible for meeting current agricultural drainage and future municipal stormwater needs	The alternative is technically feasible for meeting current agricultural drainage and future municipal stormwater needs	The alternative is technically feasible for meeting current agricultural drainage and future municipal stormwater needs
Opinion of Probable Construction Cost	Least cost alternative	Highest cost alternative due to wetland impacts	Moderate cost due to moderate wetland impacts and easement acquisition
Maintenance	Assumes continued annual maintenance of system. Maintenance costs are likely greater due to lack of repair.	Assumes continued annual maintenance of system	Assumes continued annual maintenance of system
Quality of Agricultural Drainage	Moderate. Conveyance meets design criteria at most locations, but profile is higher than As-Constructed and Subsequently Improved condition.	Provides highest level of agricultural drainage in public system.	Provides ag. drainage similar to Alt. 2 for most of the system. Predominantly wetland areas will continue to receive drainage similar to Alternative 1.
Land Acquisition	Requires no land acquisition	Requires no land acquisition	Requires acquisition of right of way for the realignment of Upper Branch 1 Lateral 1
Ecological Resources Impacts and Benefits	No impacts or benefits	Greatest impacts	Moderate impacts, mostly to wetlands that do not require mitigation.
Potential for system failure	Greatest due to undersized culverts and high points in ditch	Low	Low
Implementation Likelihood	Low - does not address failures in drainage function	Low - wetland impacts may require sequencing and mitigation	High

Rice Creek Watershed District Anoka County Ditch 53-62 Repair Report



Sources: MN DNR Data Deli, TLG

Figure ES-2 Engineers Recommended Alternative					
Scale: AS SHOWN	Drawn by: SMW	Checked by:	Project No.: 5555-080.03	Date: 1/24/2013	Sheet: 1 of 1
			Maple Grove P: 763.493.4522 F: 763.493.5572		

ITEMS REQUIRING BOARD ACTION

3. Consider Resolution 2013-07 Adopting the Repair Area for the Repair of Anoka County Ditch 10-22-32. (Phil Belfiori)

MEMORANDUM
Rice Creek Watershed District

To: Board of Managers **Date:** March 21, 2013
From: Phil Belfiori
Subject: Consider Resolution 2013-07 Adopting the Repair Area for the Repair of Anoka County Ditch 10-22-32

As a follow-up to the March 21, 2013 Public Hearing, Attached is resolution 2013-07, which adopts the areas necessary for entry and occupation during the repair of the drainage system as reflected in the Engineer's March 6, 2013, memorandum and plan sheets, as amended by the this order, (attached) and directs implementation of the repair of ACD 10-22-32 consistent with the previously adopted resolution 2012-19, within the areas identified by the Engineer. The resolution also directs the administrator to coordinate and take all subsequent actions necessary for implementation of the repair in a manner consistent and compliant with existing law.

Recommendation

Based on the recommendation from the District's Drainage Attorney, staff would recommend that the Board approve resolution 2013-07

Attachments:

Resolution 2013-07

Houston Engineering Memo 3/6/2013: Determination of Reasonably Necessary Area for Construction ACD 10-22-32 Repair Project w/ 16 map set w/ revised Map 1 and Br. 3 map

RESOLUTION NO. 2013-07

**RICE CREEK WATERSHED DISTRICT BOARD OF MANAGERS
ORDER ADOPTING REPAIR AREA FOR THE REPAIR OF ANOKA COUNTY DITCH 10-22-32**

Manager _____ offered the following Resolution and moved its adoption, seconded by Manager _____:

WHEREAS, on June 13, 2012, the Rice Creek Watershed District Board of Managers (“Board”), Drainage Authority for Anoka County Ditch 10-22-32 (ACD 10-22-32) adopted Resolution 2012-19, the Final Order Directing the Repair of ACD 10-22-32.

WHEREAS, during the preparation of final plans and specifications, the Engineer noted special circumstances related to urban/residential development of properties immediately adjacent to the drainage system.

WHEREAS, based on the circumstances noted by the Engineer and to ensure proper notice to the owners of property affected by the drainage system and subject to various easements and rights of entry associated with the drainage system and the Board’s obligations of maintenance and inspection as Drainage Authority, the Board initiated proceedings to define and give notice of the areas originally impacted by construction of the drainage system and reasonably necessary for entry and occupation for the purposes of inspection and maintenance of the drainage system.

WHEREAS, on October 22, 2012, the Board noticed and held an informational meeting to review the areas to be impacted by repair of the drainage system, to solicit landowner concerns and to answer landowner questions regarding the repair.

WHEREAS, following the informational meeting, the Board directed the Engineer to further define the areas originally impacted by construction of the drainage system and reasonably necessary for entry and occupation during the repair of the drainage system.

WHEREAS, following the Board’s direction, the Engineer developed plan sheets identifying the areas necessary for entry and occupation during the repair of the drainage system – including identification of the specific work to be performed and identification of the owner of property impacted by the repair.

WHEREAS, upon receipt of the Engineer’s plan sheets, the Board set a public hearing for March 12, 2013, at 6:30 p.m., in the Council Chambers of Lino Lakes City Hall, and directed notice as follows:

For owners of properties directly impacted by entry, occupation or construction activities, as identified in the Engineer’s plan sheets: mailed notice of the hearing

including a copy of the plan sheet identifying the owners' property, the affected area and the nature of work to be performed on the ditch.

For owners of property within the water management district of the drainage system: mailed notice of the hearing.

For the general public: published notice of the hearing.

WHEREAS, statutory notices throughout these proceedings, as required by Statutes Chapters 103B, 103D and 103E, as well as notices required by local rule were provided and are contained within the record of proceedings maintained by the District.

WHEREAS, prior to the hearing, the Engineer provided a memorandum dated March 6, 2013, detailing the methods used to determine the necessary work areas, the nature of the work to be performed and methods of controlling the work adjacent to urban/residential developed properties. Attached to the memorandum were the plan sheets identifying the areas necessary for entry and occupation during the repair of the drainage system, the specific work to be performed and the property impacted by the repair. The Engineer's March 6, 2013, memorandum and plan sheets are attached to this order and incorporated herein by reference.

WHEREAS, at the hearing on March 12, 2013, at 6:30 p.m., in the Council Chambers of Lino Lakes City Hall, the Board presented information regarding the areas necessary for entry and occupation during the repair of the drainage system and took public comment.

WHEREAS, four members of the public appeared and provided comment as follows:

Bill Picha: questioned the Board regarding the proposed condition of the property after the completion of work. The Engineer explained that Board would follow standard construction practices for drainage system repairs -- disturbed areas would be restored as nearly as practicable to the conditions existing prior to construction, to include re-seeding of formerly grassed areas, stabilization of disturbed areas, chipping or removal of tree and wood debris (in residential areas), spreading and leveling of spoil material, stacking or piling of wood debris for composting (in wooded areas). Mr. Picha further asked whether any sod restoration would occur. The Engineer explained that no sod restoration was planned and that grassed areas would be re-seeded using common grass seed mixtures to stabilize exposed soils after construction.

Doug Malsom: questioned the Board regarding contact during and after construction and who landowners could call if something went wrong during the repair. The Board directed the public to call the District's drainage inspector, Tom Schmidt, regarding any problems with drainage systems within the District. The Engineer also responded that on-site inspection would occur during construction.

Steve Engelhardt: questioned the Board regarding a crushed culvert near the former Pennok branch of the drainage system. Mr. Schmidt responded that he would investigate whether the areas was part of the public portion of the drainage system and would follow up with Mr. Engelhardt.

Al Robinson: Mr. Robinson suggested that mats should be used to stabilize the slopes near the repair work occurring between Lilac and Karl Streets. The Engineer noted the suggestion.

WHEREAS, after seeking additional public comment and hearing none, the Board President closed the public comment portion of the hearing and took the following comments or questions from the Board:

Manager Haake: questioned the Engineer regarding the replacement of fences. The engineer responded that for functioning agricultural fences (i.e. barbed wire), fences would be removed during construction and replaced outside of the drainage system right of way following construction. For chain-link residential fences (only one exists), the area would be avoided during construction. Manager Haake further questioned regarding bank stabilization. The Engineer responded that the primary method of stabilization is vegetating the ditch slope and shallowing the slope where possible. Manager Haake suggested educating the landowners about proper use or maintenance of the vegetative stabilization.

Manager Preiner: commented in response to Manager Haake's comment that the District administers a regular maintenance program and that maintenance of the buffer and ditch right of way areas is the responsibility of the Drainage Authority.

WHEREAS, the Board and Engineer had additional discussion regarding a change to the work description in the area NW of Lake Drive to denote it as a "Type 6" area and discussion of Branch 3 repair alignments which resulted in alterations of the Engineer's plan sheets at Sheet 1 of the map book and the addition of a page depicting the repair alignment for Branch 3.

WHEREAS, the Board received no written comments related to the proceedings.

WHEREAS, the Board recessed the public hearing to its regular meeting at 9:00 a.m. on March 27, 2013, at the Council Chambers at Shoreview City Hall and directed its attorney to prepare findings and an order, consistent with the proceedings, adopting the Engineer's recommendation of the areas necessary for entry and occupation during the repair of the drainage system as reflected in the Engineer's March 6, 2013, memorandum and plan sheets.

THEREFORE, the Rice Creek Watershed District Board of Managers makes the following:

ORDER

- A. The Board of Managers adopts the areas necessary for entry and occupation during the repair of the drainage system as reflected in the Engineer's March 6, 2013,

memorandum and plan sheets, as amended by the this order, which are attached to this order and incorporated herein by reference, and directs implementation of the repair of ACD 10-22-32 consistent with the previously adopted resolution 2012-19, within the areas identified by the Engineer.

- B. The Board of Managers directs its administrator to coordinate and take all subsequent actions necessary for implementation of the repair in a manner consistent and compliant with existing law. The Board reserves to itself, however, all subsequent actions required by law to proceed upon Board approval.

The question was on the adoption of the Resolution and there were ___ yeas and ___ nays as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
WALLER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HAAKE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
OGATA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WAGAMON	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PREINER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Upon vote, the Chair declared the Resolution _____.

Harley Ogata, Secretary

Dated: March 27, 2013

* * * * *

I, Harley Ogata, Secretary of the Rice Creek Watershed District, do hereby certify that I have compared the above Resolution with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcript thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 27th day of March 2013.

Harley Ogata, Secretary

FINAL

MEMO

(External Correspondence)



To: Phil Belfiori, RCWD

From: Chris Otterness

Christopher Otterness

Mark Deutschman

Mark Deutschman

Date: March 6, 2013

Cc: Tom Schmidt, RCWD
File 5555-080.006

Subject: Determination of Reasonably Necessary
Area for Construction
ACD 10-22-32 Repair Project

The purpose of this memorandum is to describe the process used to determine the “reasonably necessary area for construction” for repair of the Anoka County Ditch 10-22-32 public drainage system. Legal counsel provided guidance to the Board of Managers and the District Engineer relative to determining the reasonably necessary area for construction by Memorandum dated November 5, 2012. This Memorandum describes the approach and is intended to be consistent with Legal Counsel guidance.

Per MS 103E, the Drainage Authority has an implied right of access to the public drainage system consisting of an area deemed reasonably necessary for construction. To provide the landowners adjacent to the public drainage system with an understanding of the planned construction limits, District staff and Houston Engineering have collaborated to generate a series of maps (one for each landowner within the construction limits) that show the reasonable necessary area necessary for construction. The maps also show the type of work to be completed to repair the public drainage system, as the rationale for the amount of area needed.

The reasonably necessary area for construction (hereafter called the “construction limits) were determined based on several factors, including the width (bank-to-bank) of the existing open channel, the land slope, the side of the open channel most practicable for work access and the type of work necessary to complete the repair. The construction limits generally consist of the area of the open channel between tops of the banks, plus a corridor adjacent to one side of the channel used for access and placement of excavated material (i.e., spoil) and vegetation (e.g. trees and woodchips). One exception is Branch 1a, where access is easiest down the middle of the channel and thus construction limits include a corridor along both sides of the open channel for placement of spoil and vegetation. Another exception is along the Main Trunk south of Thomas Street, where access will be required from both sides of the public drainage system, as the depth and width of the open channel prevents full access from just one side.

Segments of the ACD 10-22-32 public drainage system to be repaired were categorized into six distinct work categories:

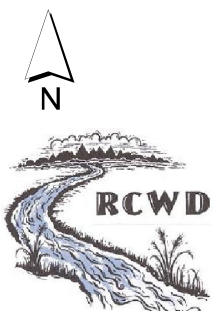
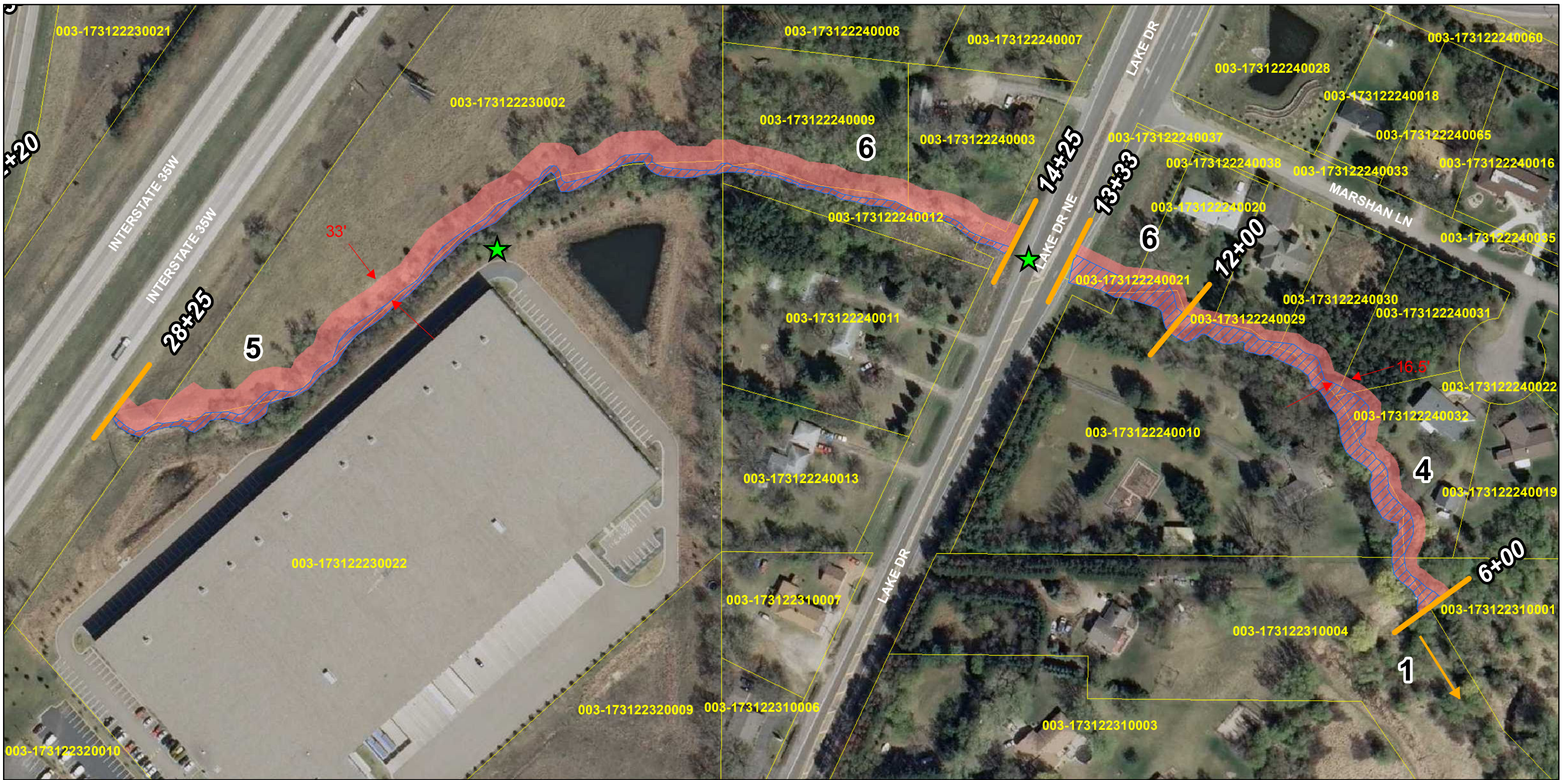
- 1) No Excavation or clearing. Maintenance may be required.

MEMO

- 2) Excavate channel, place spoil at top of bank. No tree removal required.
- 3) Excavate channel. Clear trees & brush. Place spoil and debris at top of bank.
- 4) Excavate channel. Clear trees & brush. Chip debris and place at top of bank.
- 5) No excavation. Clear trees & brush and place at top of bank.
- 6) No Excavation. Clear trees & brush. Chip debris and place at top of bank.

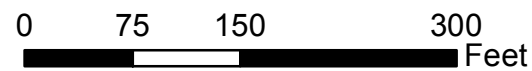
The work categories of each open channel segment were determined through a field review conducted by HEI and District staff in November, 2012 and HEI field surveys completed in 2010 and 2012. Locations where the existing open channel bottom is 0.5 feet or more above the profile of the As-Constructed and Subsequently Improved Condition (as described in *the ACD 10-22-32 Historical Review Memorandum* dated February 9, 2010) will be excavated to the As-Constructed and Subsequently Improved profile. Wooded locations within the work limits that are immediately adjacent to urban residential yards will be cleared and the debris chipped. Other wooded areas within the area reasonably necessary for construction will be cleared and placed within the work limits outside of the channel.

Maps showing the construction limits are included as Attachment A to this memorandum. District staff mailed maps to each landowner adjacent to the public drainage system. These maps are also expected to be used as a tool during the March 12, 2013 public hearing focused on describing the construction limits.



Work Type Key:

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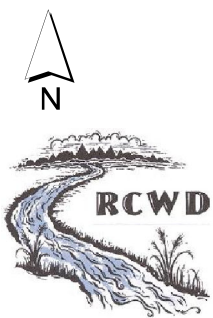
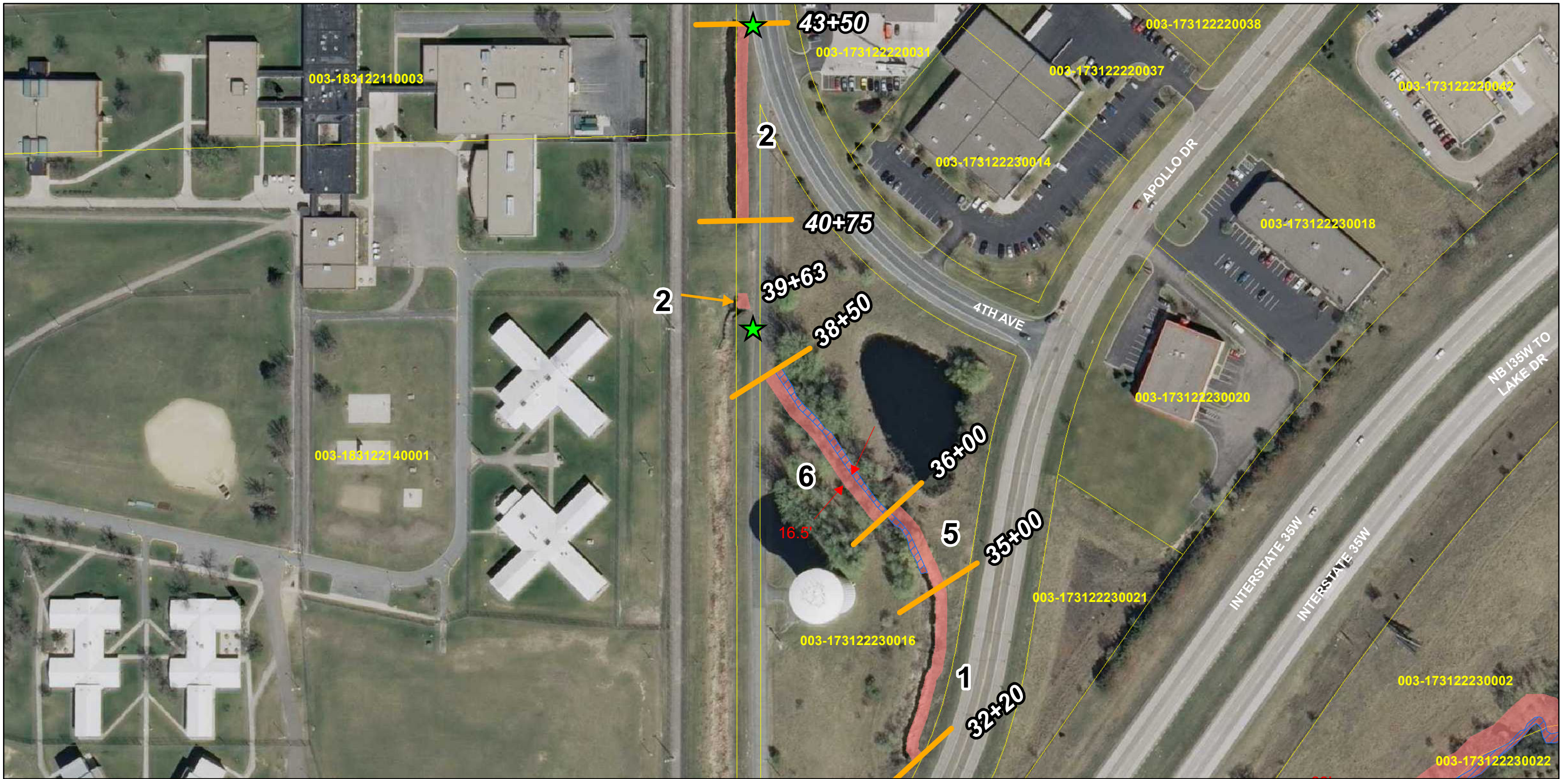


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4 Work Type Number **63+95** Station Number

- Begin/End Work Limits
- Drainage Corridor (Top of Bank to Top of Bank)
- Areas Reasonably Necessary for Construction
- Property Lines (Approximate)
- Road Access Points for Construction

Map Book - ACD 10-22-32 Approximate Construction Areas					
Scale: AS SHOWN	Drawn by: SMW	Checked by:	Project No.: 6475-003	Date: 1/15/2013	Sheet: 1 of 1
			Maple Grove		
			P: 763.493.4522 F: 763.493.5572		

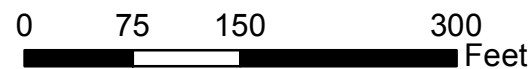


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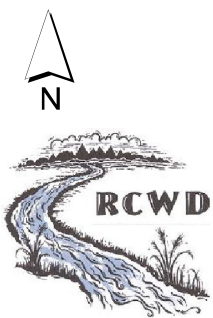
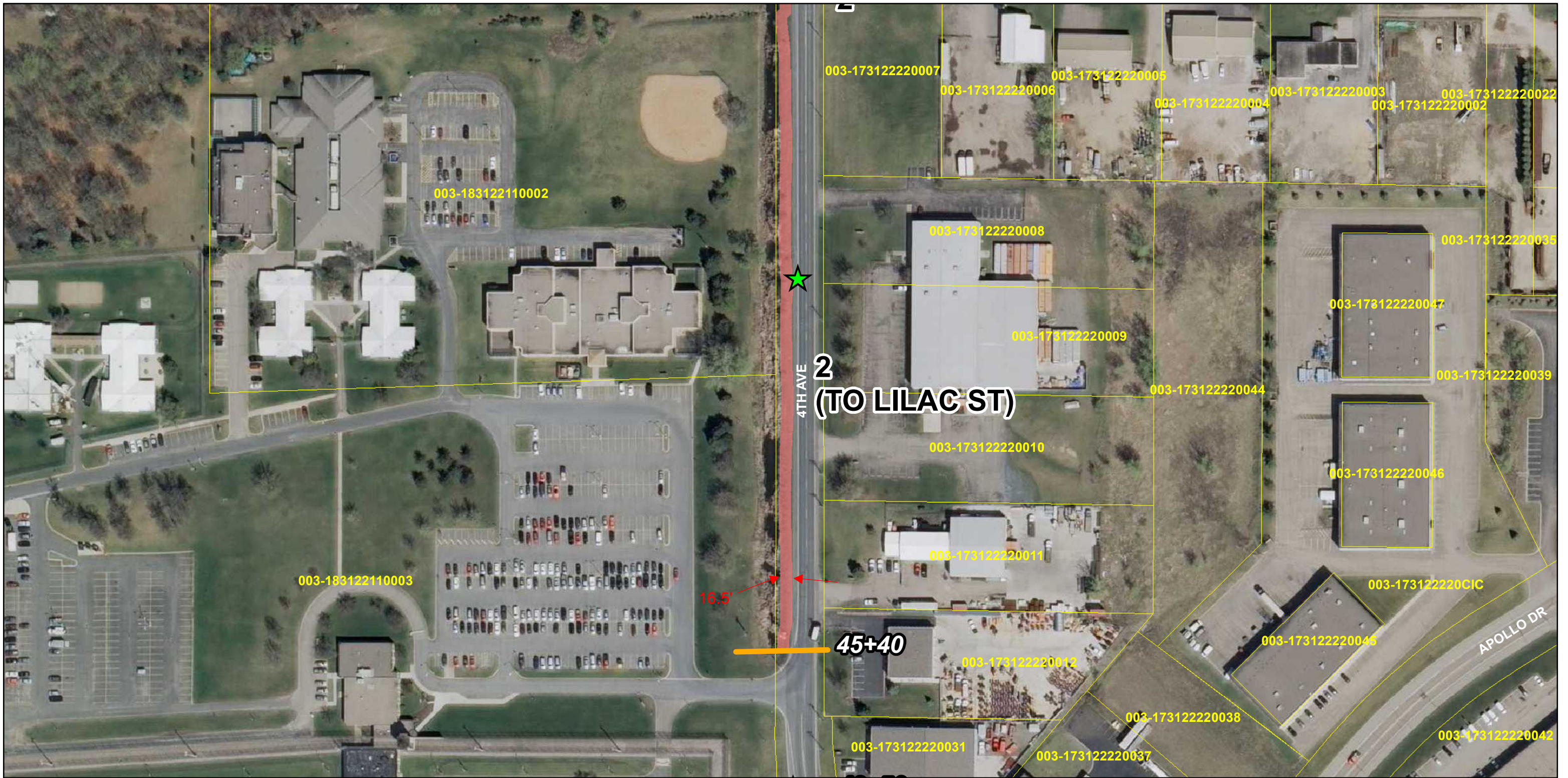
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Map Book - ACD 10-22-32 Approximate Construction Areas					
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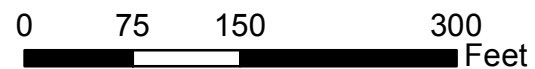


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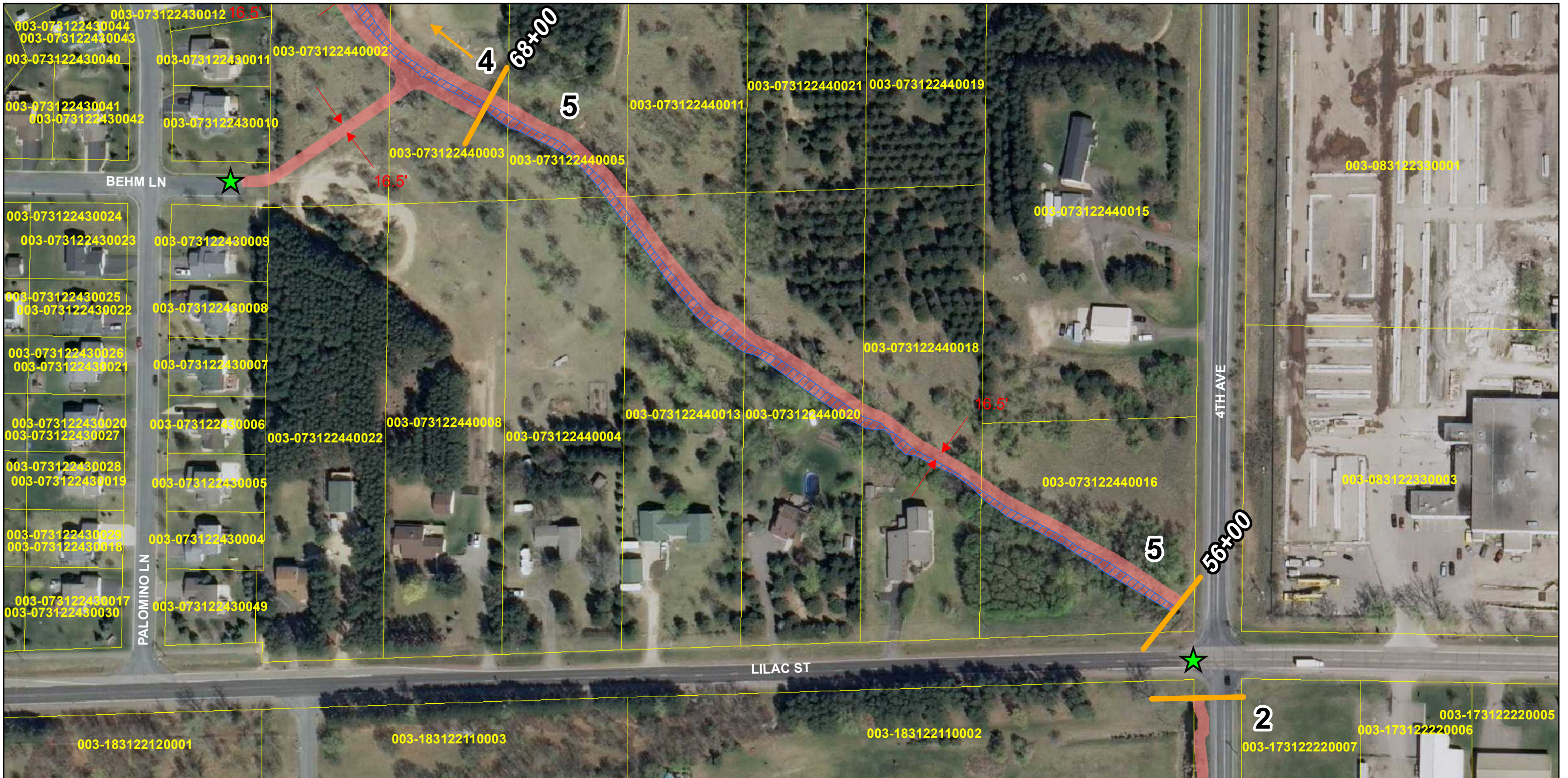
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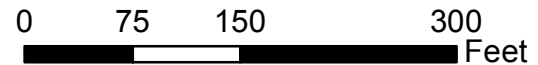


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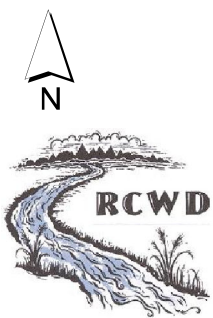
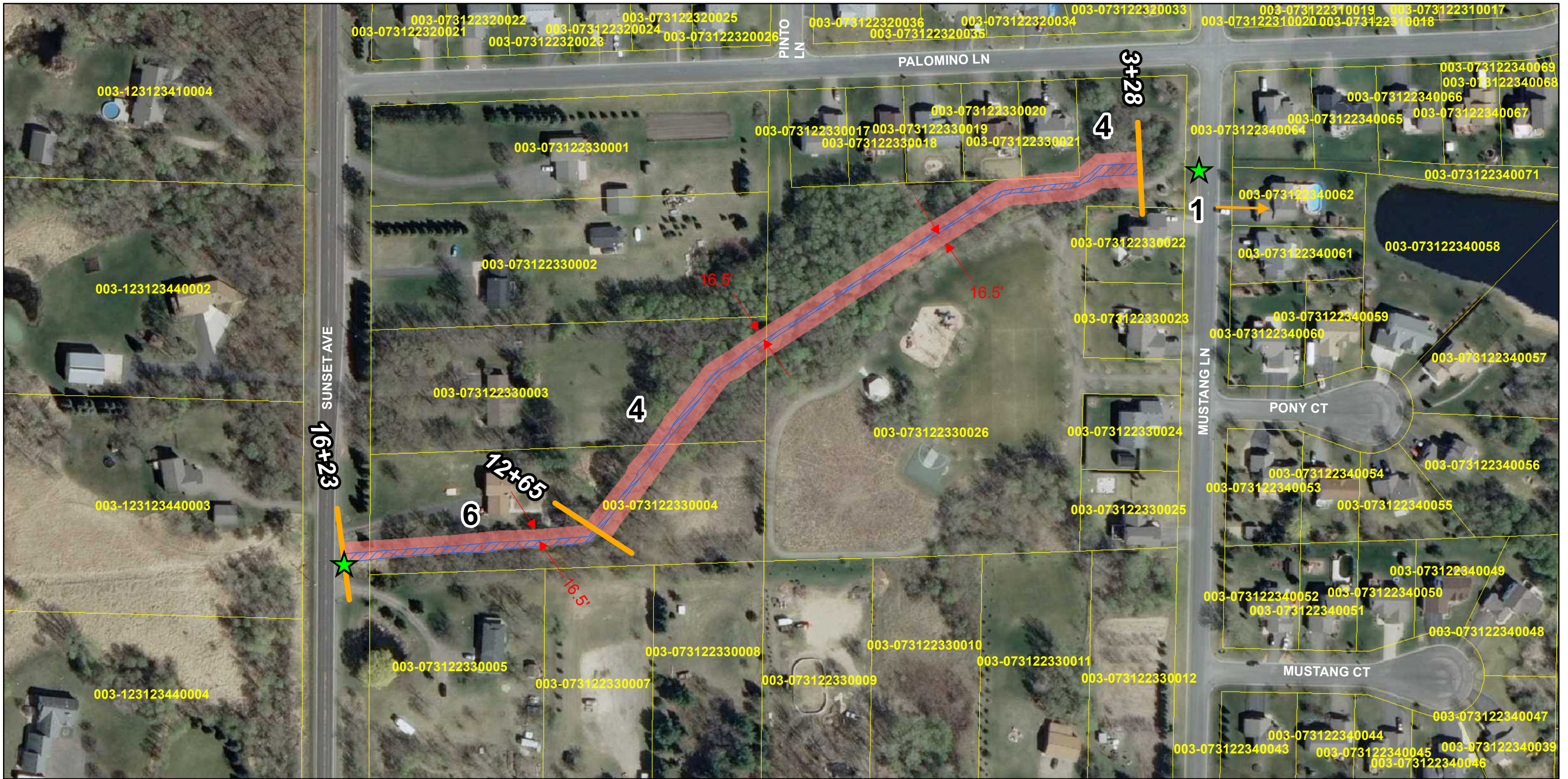
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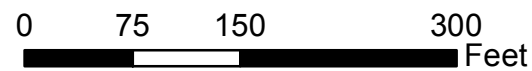


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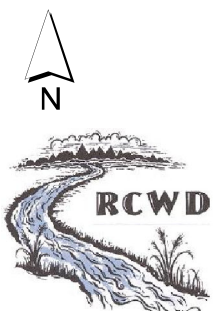
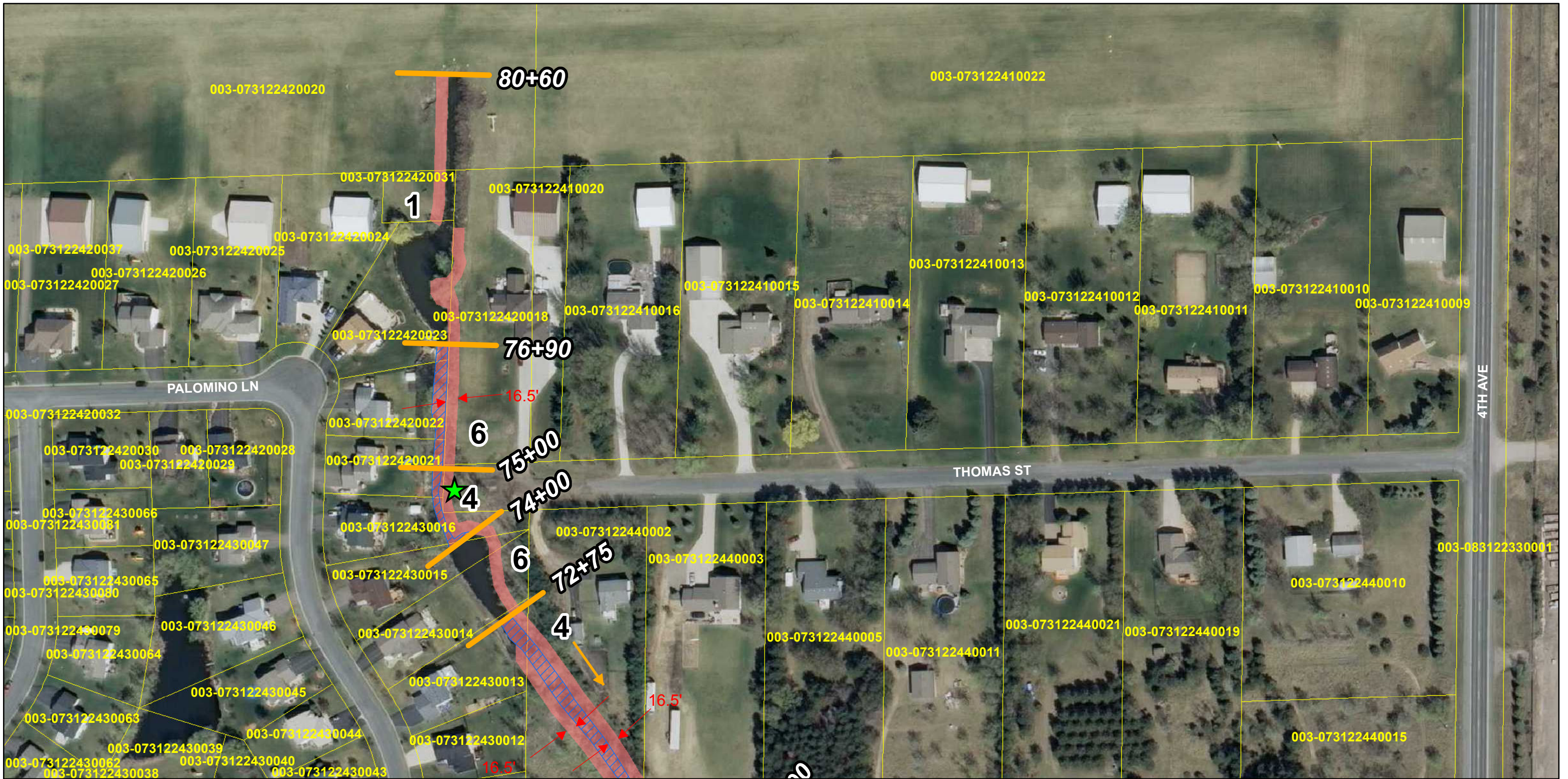
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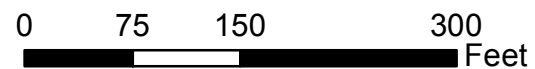
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Map Book - ACD 10-22-32 Approximate Construction Areas					
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4

Work Type Number

63+95

Station Number

— Begin/End Work Limits

▨ Drainage Corridor (Top of Bank to Top of Bank)

■ Areas Reasonably Necessary for Construction

□ Property Lines (Approximate)



Road Access Points for Construction

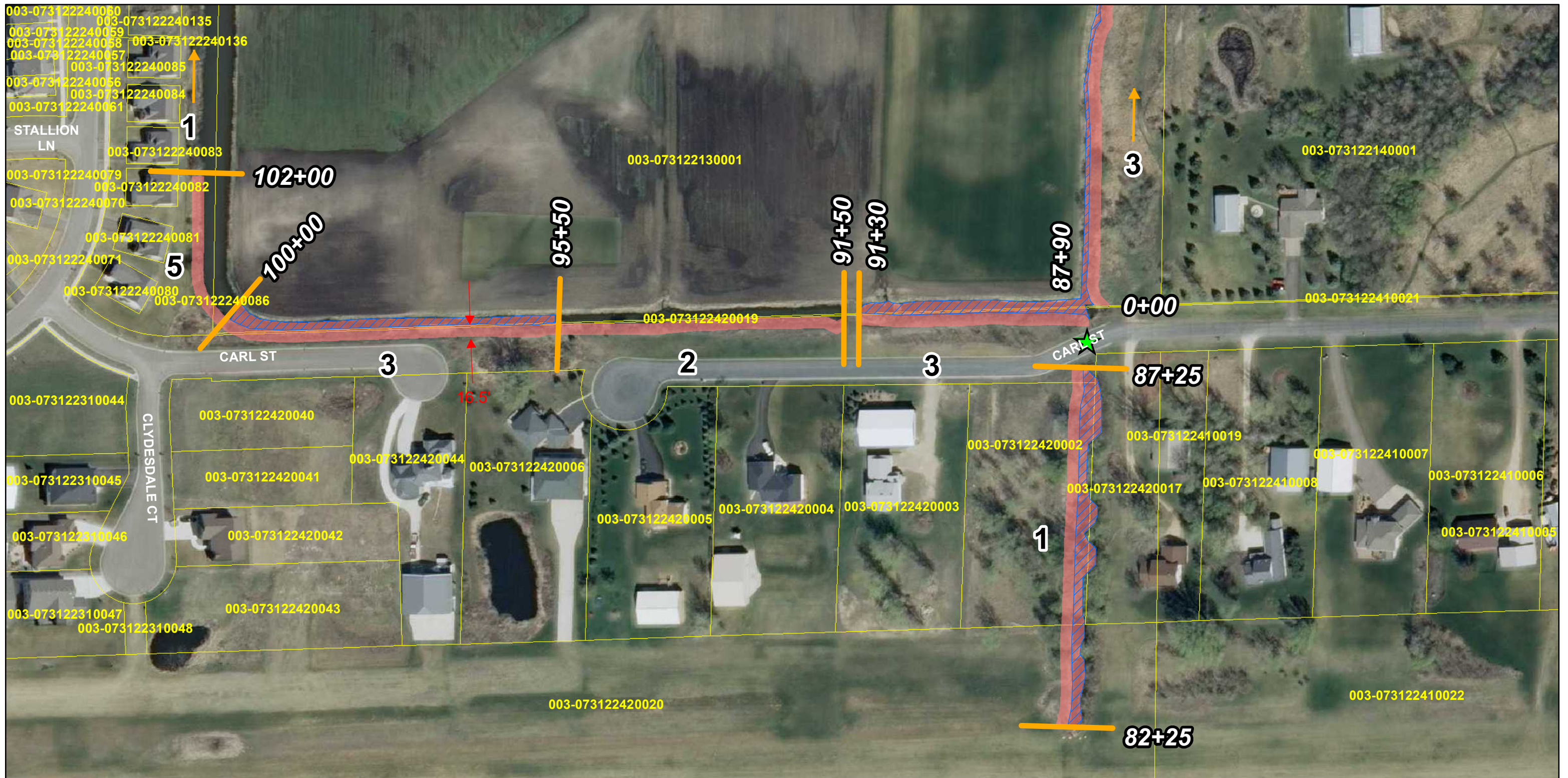
Map Book - ACD 10-22-32 Approximate Construction Areas

Scale: AS SHOWN	Drawn by: SMW	Checked by:	Project No.: 6475-003	Date: 1/15/2013	Sheet: 1 of 1
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Maple Grove

P: 763.493.4522
F: 763.493.5572



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Station Number

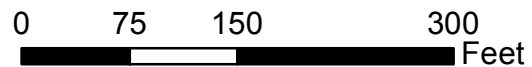
— Begin/End Work Limits

▨ Drainage Corridor (Top of Bank to Top of Bank)

■ Areas Reasonably Necessary for Construction

□ Property Lines (Approximate)

★ Road Access Points for Construction



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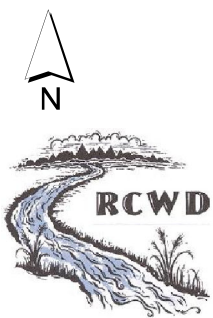
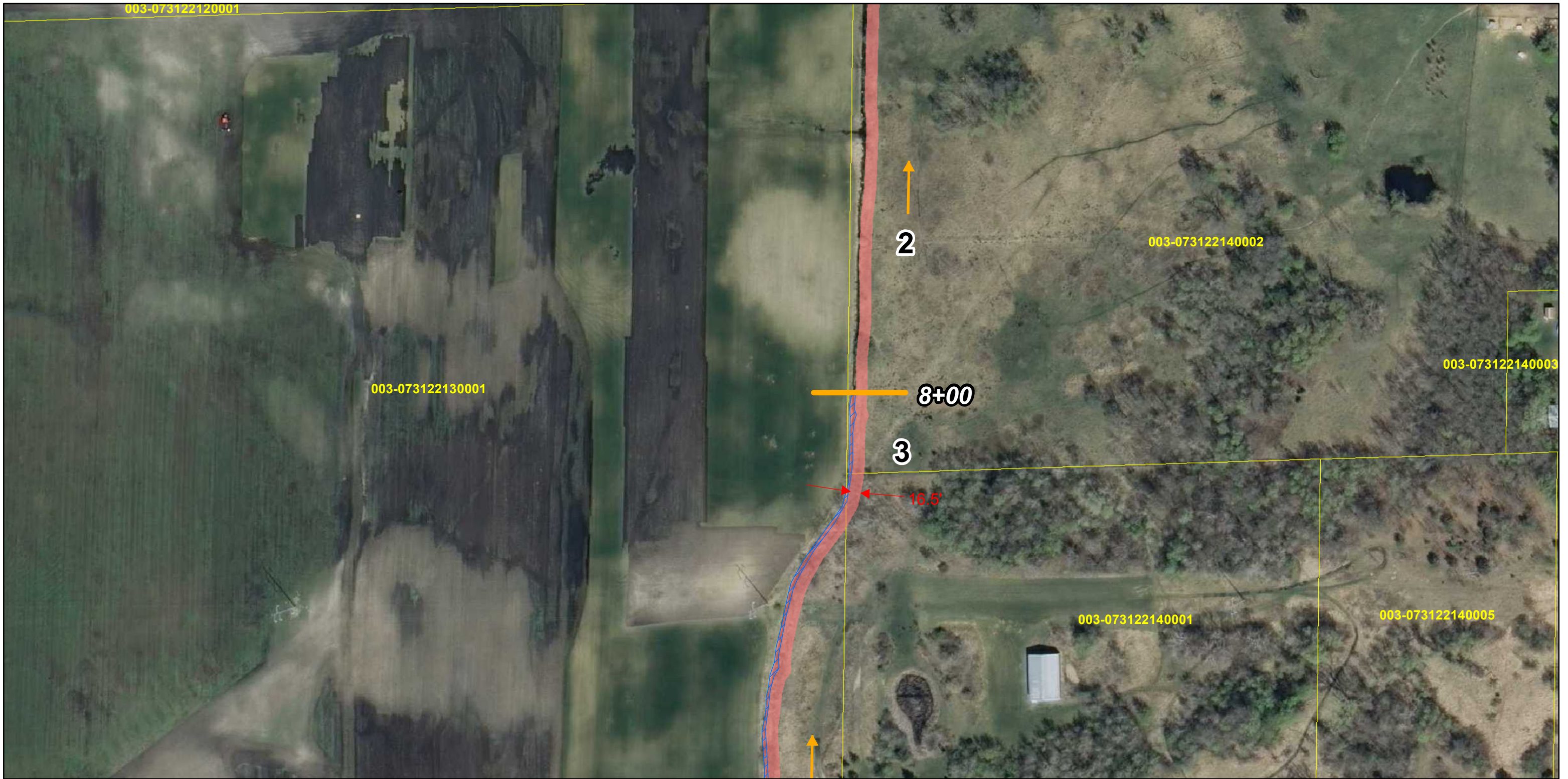
Map Book - ACD 10-22-32 Approximate Construction Areas

Scale: AS SHOWN	Drawn by: SMW	Checked by:	Project No.: 6475-003	Date: 1/15/2013	Sheet: 1 of 1
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Maple Grove

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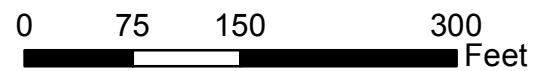


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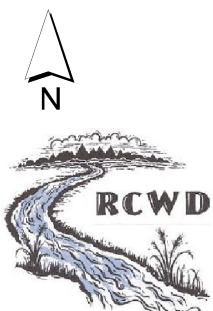
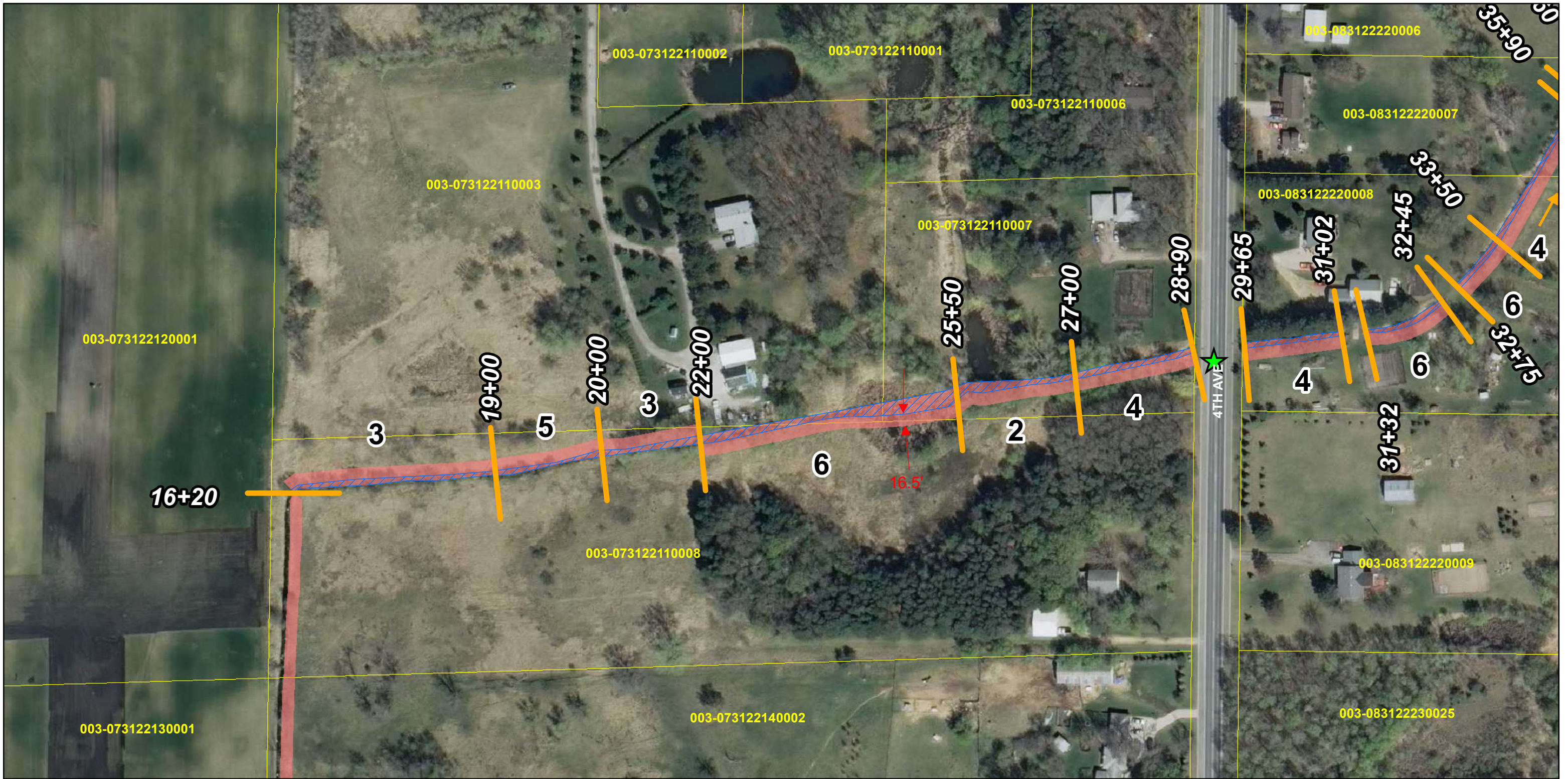
4 Work Type Number **63+95** Station Number

- Begin/End Work Limits
- Drainage Corridor (Top of Bank to Top of Bank)
- Areas Reasonably Necessary for Construction
- Property Lines (Approximate)
- Road Access Points for Construction



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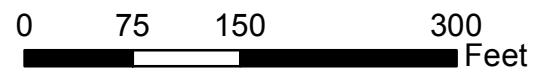
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Scale: AS SHOWN	Drawn by: SMW	Checked by:	Project No.: 6475-003	Date: 1/15/2013	Sheet: 1 of 1
			Maple Grove		
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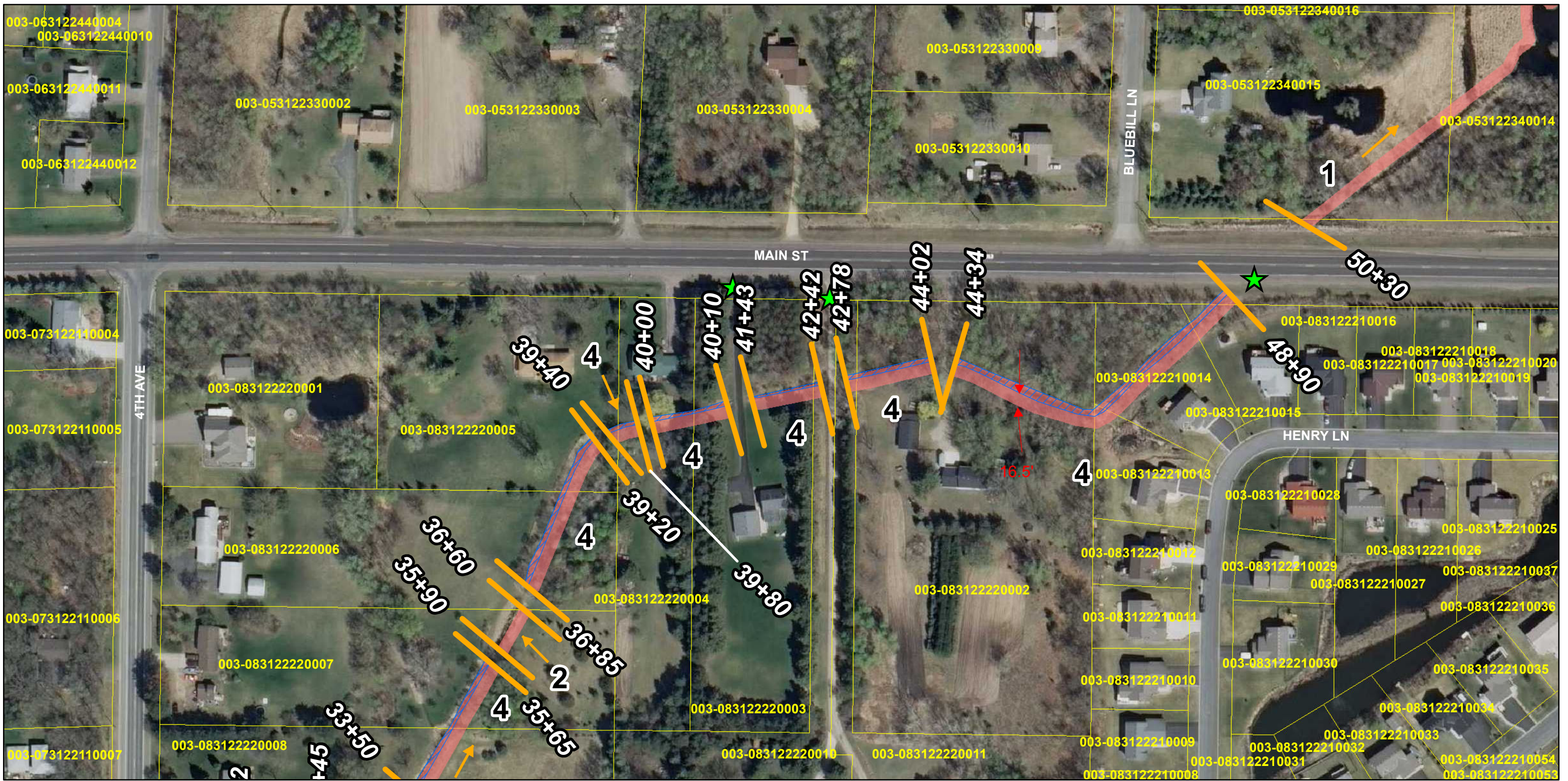
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Begin/End Work Limits

Drainage Corridor (Top of Bank to Top of Bank)

Areas Reasonably Necessary for Construction

Property Lines (Approximate)

Road Access Points for Construction

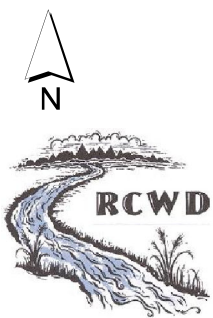
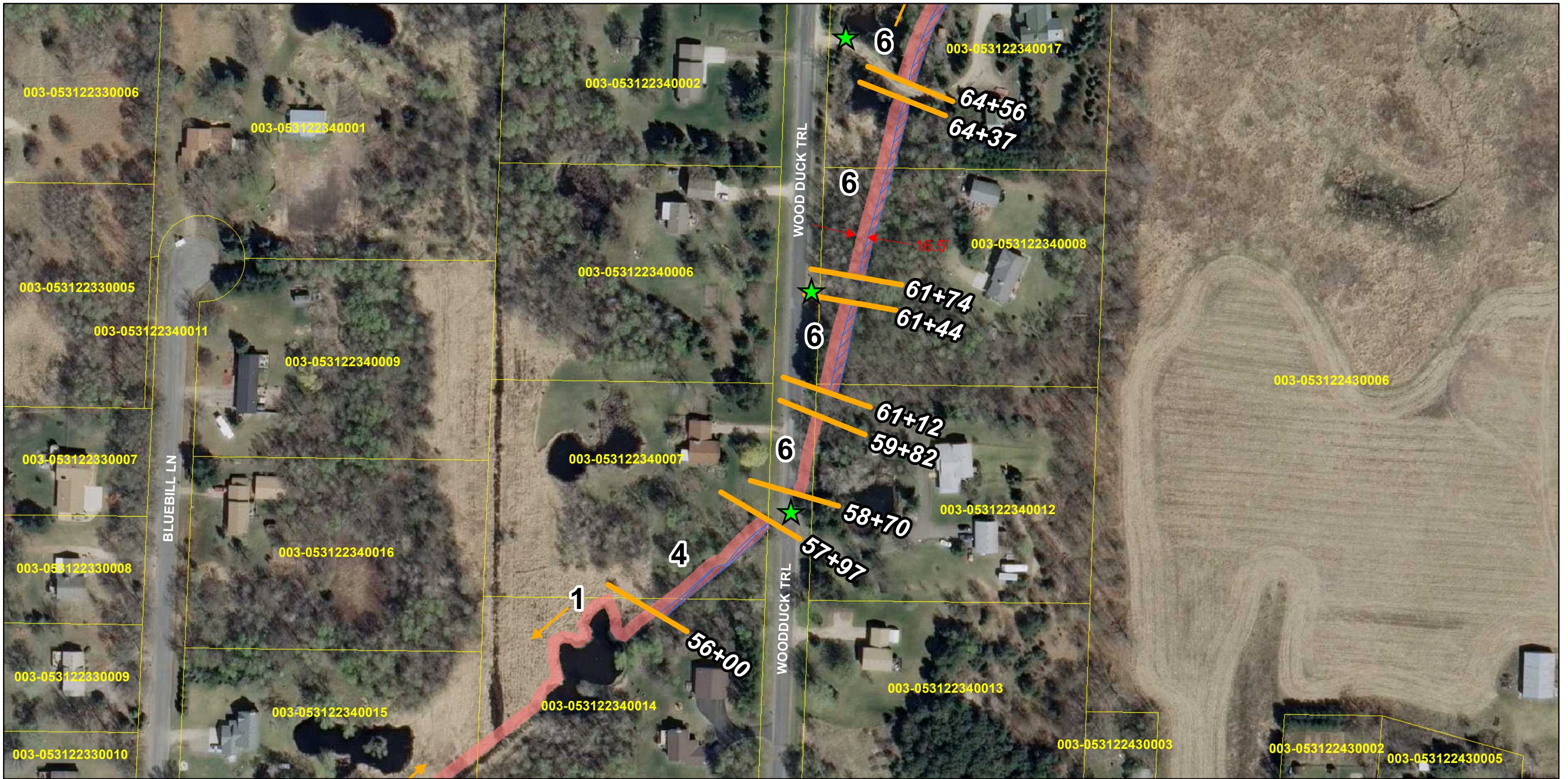
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Houston Engineering Inc. Maple Grove

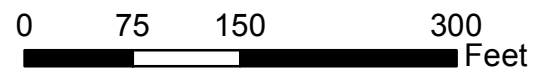
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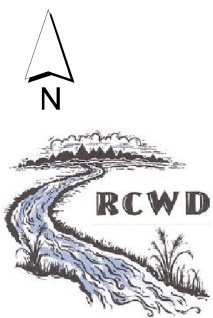
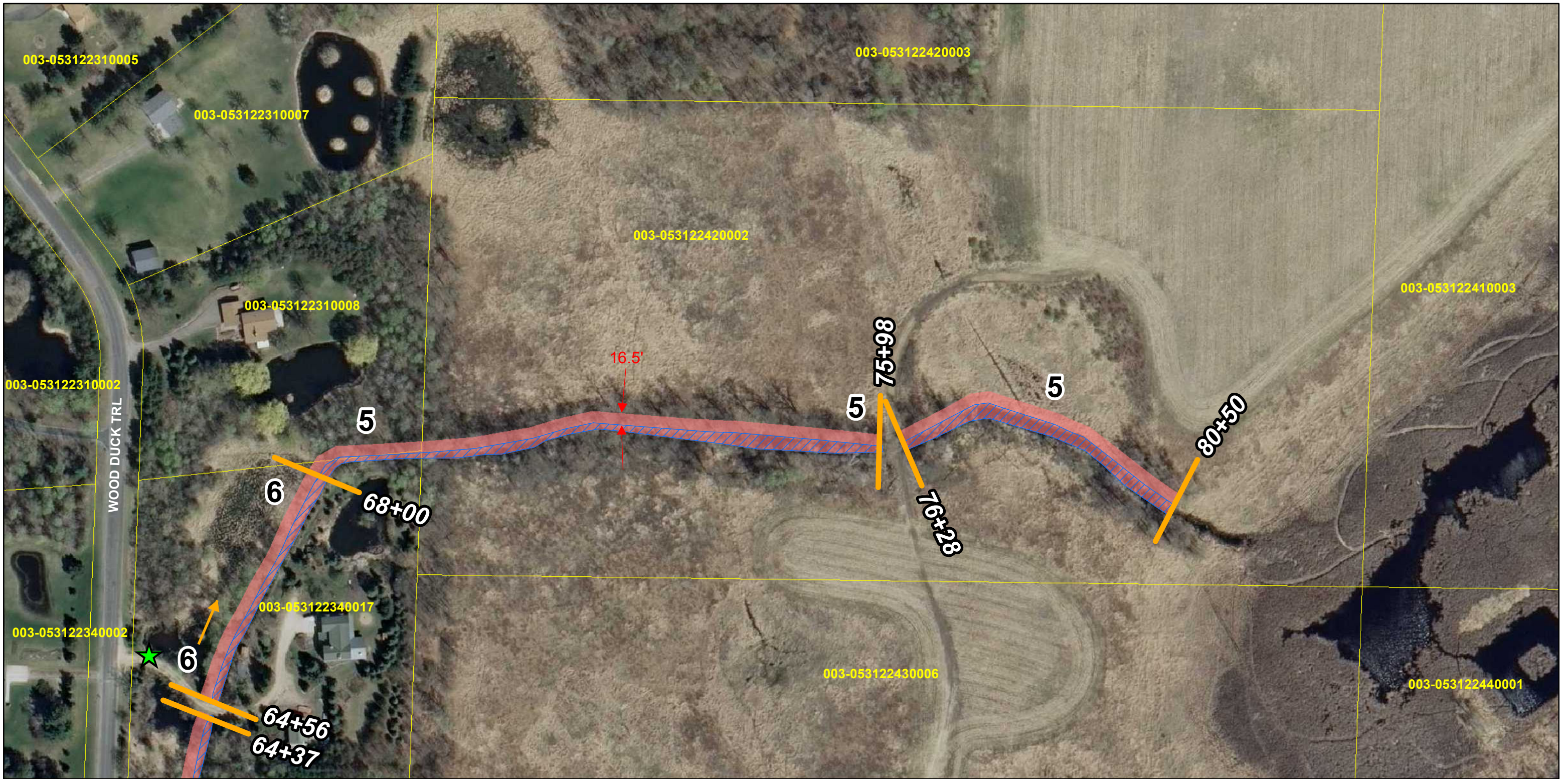
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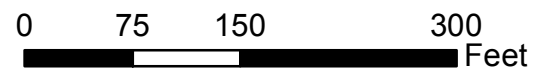


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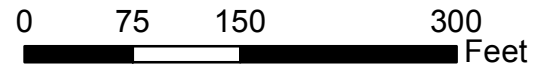
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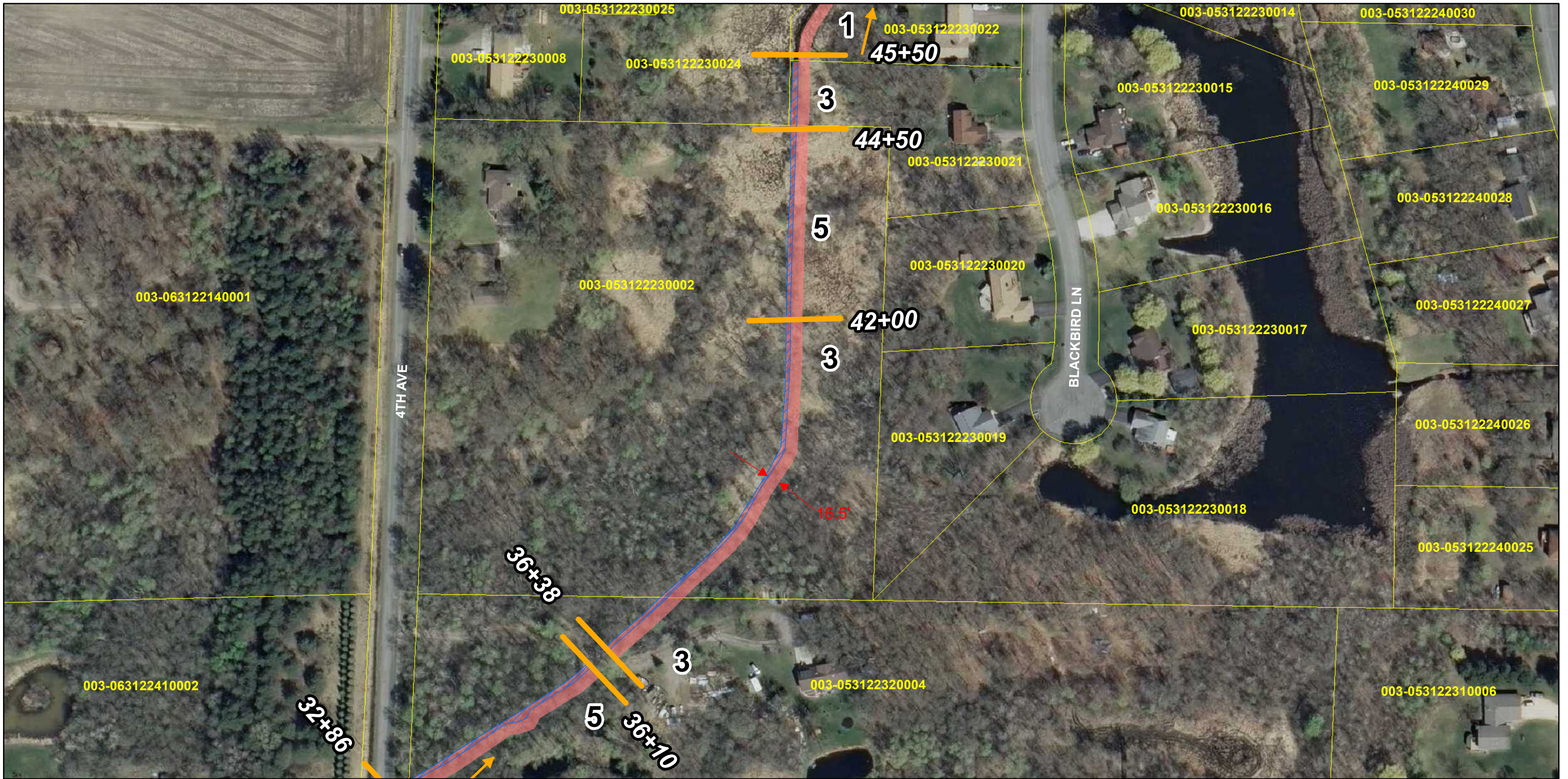


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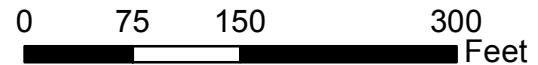
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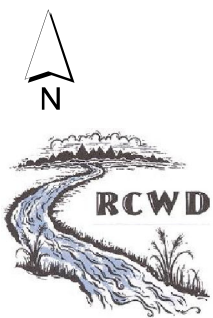
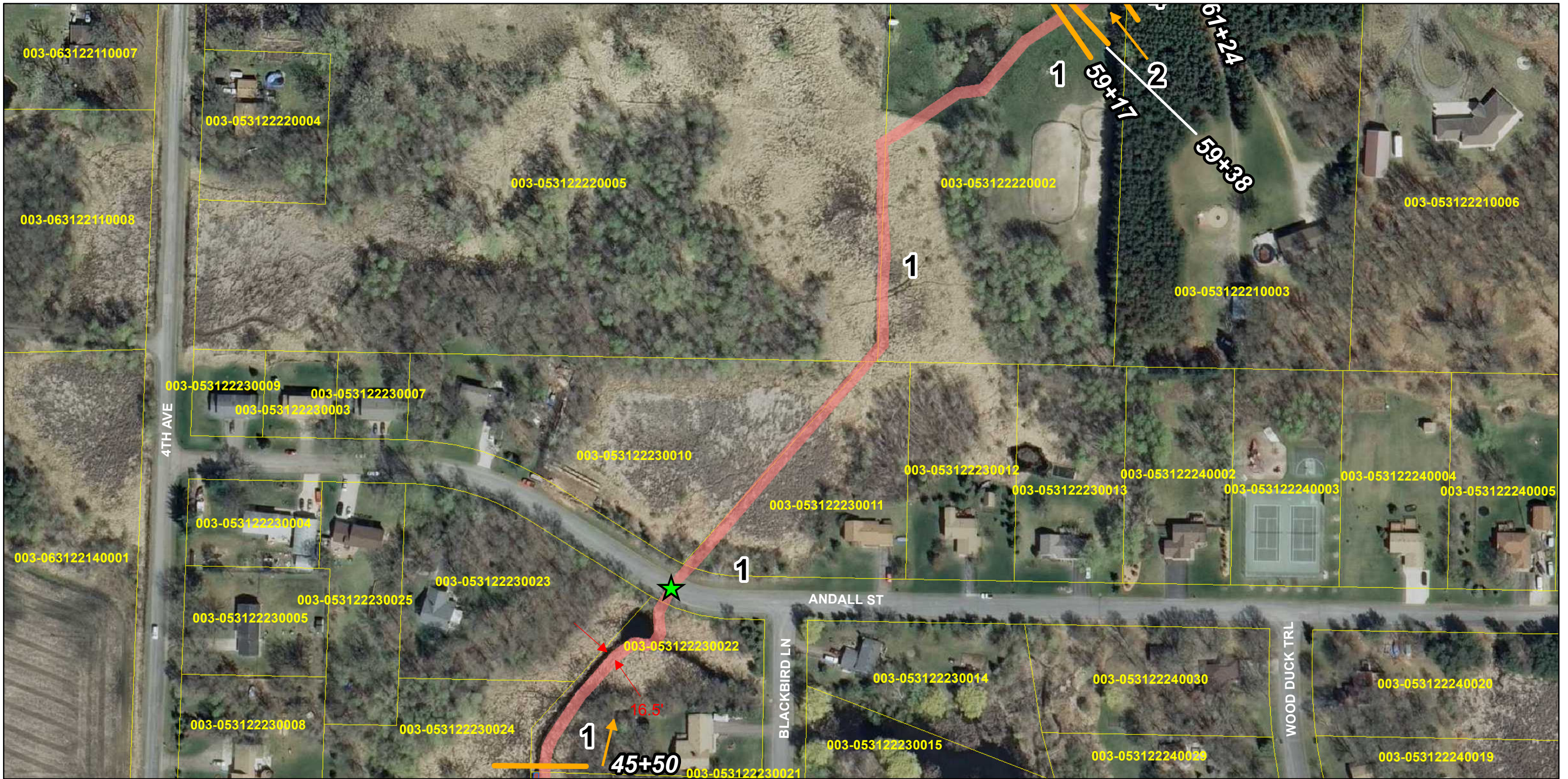
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Work Type Number

63+95

Station Number

— Begin/End Work Limits

▨ Drainage Corridor (Top of Bank to Top of Bank)

■ Areas Reasonably Necessary for Construction

□ Property Lines (Approximate)

★ Road Access Points for Construction

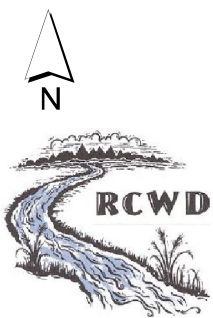
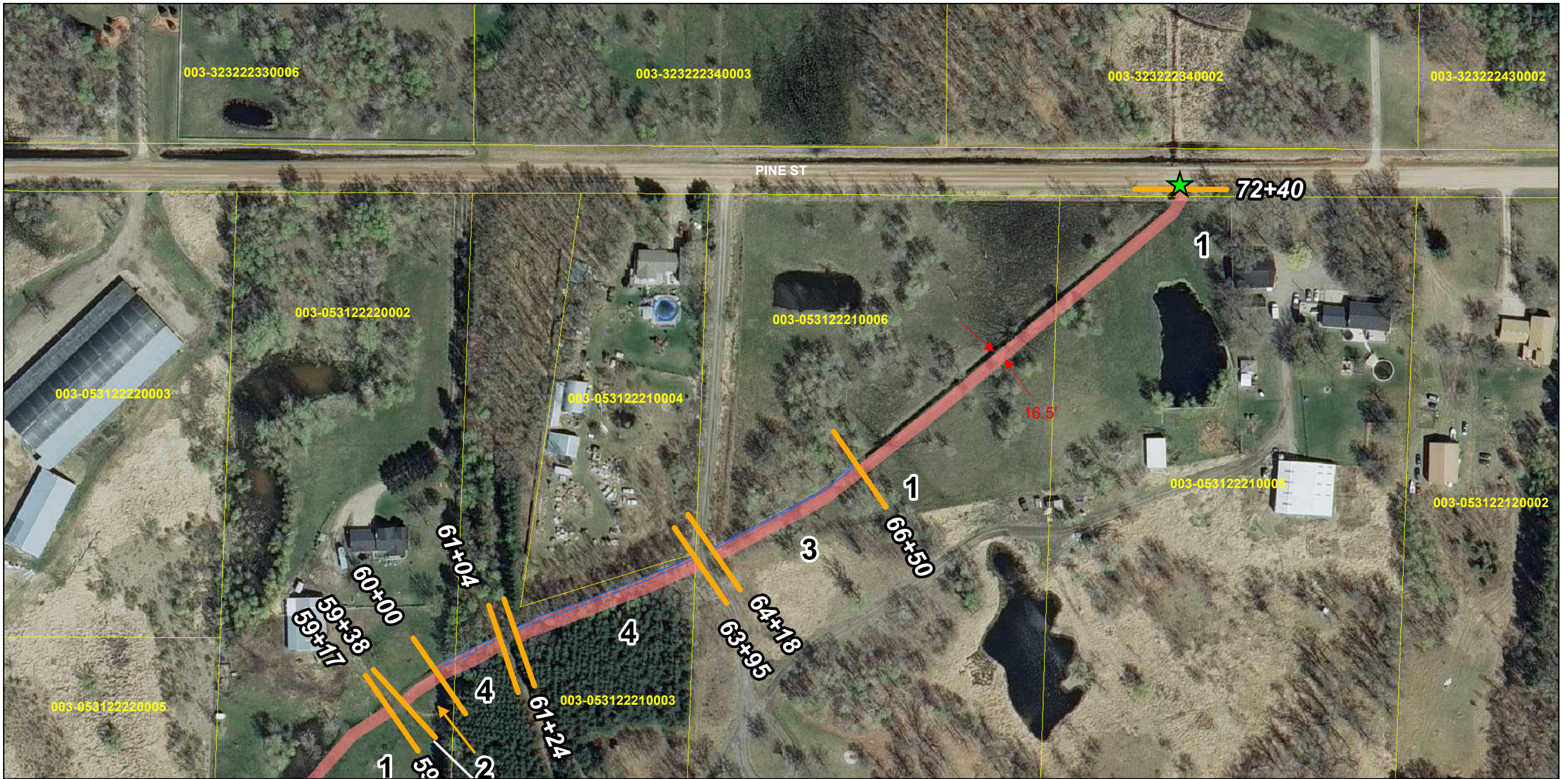
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Maple Grove

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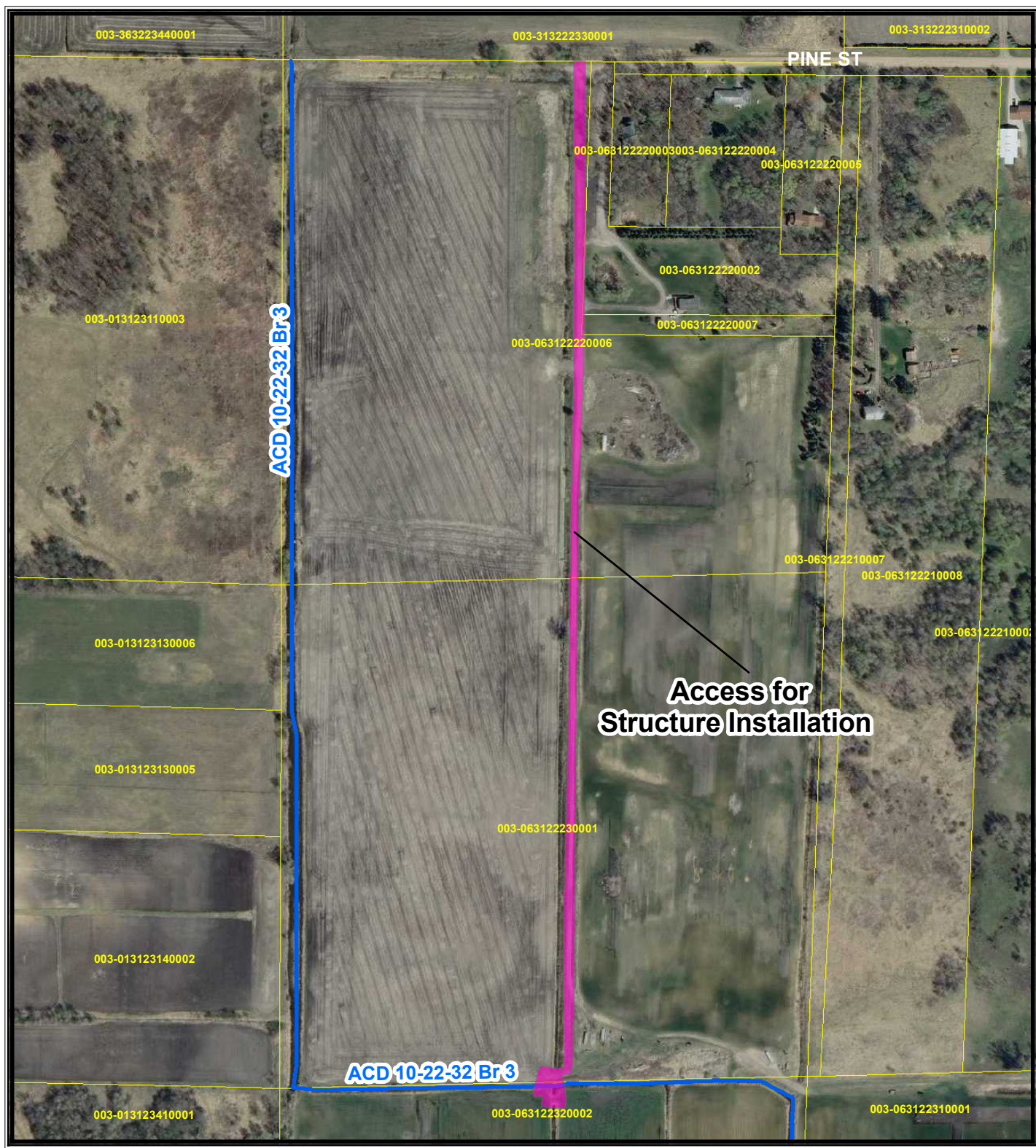
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



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			Maple Grove		
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	Structure Installation and Culvert Replacement
	ACD 10-22-32 Approximate Public Drainage Centerline
	Property Lines (Approximate)

Branch 3

Map Book - ACD 10-22-32 Approximate Construction Areas					
Scale: AS SHOWN	Drawn by: SMW	Checked by:	Project No.: 6475-003	Date: 1/15/2013	Sheet: 1 of 1
			Maple Grove		
			P: 763.493.4522 F: 763.493.5572		

ITEMS REQUIRING BOARD ACTION

4. Consider Abatement from Anoka County Special Assessments Certified to Common Elements in Anoka County Ditch 10-22-32 and Bald Eagle Lake Water Management Districts.
(Phil Belfiori)

RESOLUTION 2013-08

**RICE CREEK WATERSHED DISTRICT
BOARD OF MANAGERS**

ABATEMENT OF CHARGES

ACD10-22-32 And BALD EAGLE LAKE WATER MANAGEMENT DISTRICTS

Manager _____ offered the following resolution and moved its adoption, seconded by Manager _____:

WHEREAS on June 9, 2010, pursuant to Minnesota Statutes §103B.231, the Rice Creek Watershed District (District) Board of Managers adopted a revised Watershed Management Plan (“Plan”);

WHEREAS the Plan establishes a water management district pursuant to Minnesota Statutes §103D.729 providing for a levy on properties within the hydrologic boundaries of the Anoka County Ditch 10-22-32 public drainage system (“ACD 10-22-32 WMD”) and charge on properties riparian and with deeded access to Bald Eagle Lake (“Bald Eagle WMD”;

WHEREAS on June 13, 2012, the Board of Managers adopted Resolution 2012-19 approving a preliminary charge analysis for application to the ACD10-22-32 WMD and on September 9, 2009, the Board of Managers adopted Resolution 2009-27 adopting the BELWMD Plan amendment;

WHEREAS, Minnesota Chapter 444.075, Subd 2a, provides for charges to be certified before October 15 of each year to county auditors to be collected as part of the tax levy/special assessments on said premises the ensuing year;

WHEREAS, Anoka County provides a mechanism for the abatement of special assessments/charges by the RCWD;

WHEREAS, RCWD has determined that Anoka County parcels PID numbers listed in the table below:

Pin Number	Legal Description	Fund		years	amount
07-31-22-24-0005	Lot 6 Block 5 Century Farm North	84562	Anoka County Ditch 10-22-32	1	\$25.00
07-31-22-24-0014	LOT 13 BLOCK 6 CENTURY FARM NORTH	84562	Anoka County Ditch 10-22-32	1	\$25.00
07-31-22-24-0061	LOT 43 BLOCK 1 CIC NO 188 CENTURY FARM NORTH 2ND ADD, COMMON ELEMENT, SUBJ TO EASE OF REC	84562	Anoka County Ditch 10-22-32	1	\$25.00
07-31-22-24-0079	LOT 17 BLOCK 2 CENTURY FARM NORTH 2ND ADD	84562	Anoka County Ditch 10-22-32	1	\$25.00
07-31-22-24-0086	LOT 7 BLOCK 3 CENTURY FARM NORTH 2ND ADD	84562	Anoka County Ditch 10-22-32	1	\$25.00
07-31-22-24-0125	LOT 35 BLOCK 1 CENTURY FARM NORTH 3RD ADD CIC NO 265, COMMON ELEMENT, SUBJ TO EASE OF REC	84562	Anoka County Ditch 10-22-32	1	\$25.00
07-31-22-24-0134	LOT 9 BLOCK 2 CENTURY FARM NORTH 3RD	84562	Anoka County Ditch 10-22-32	1	\$25.00
07-31-22-24-0136	LOT 2 BLOCK 3 CENTURY FARM NORTH 3RD	84562	Anoka County Ditch 10-22-32	1	\$25.00
07-31-22-24-0189	LOT 39 BLOCK 1 CENTURY FARM NORTH 4TH ADD CIC NO 265, COMMON ELEMENT, SUBJ TO EASE OF REC	84562	Anoka County Ditch 10-22-32	1	\$25.00
07-31-22-24-0196	LOT 2 BLOCK 3 CENTURY FARM NORTH 4TH ADD	84562	Anoka County Ditch 10-22-32	1	\$25.00

are tax exempt parcels that were identified in the ACD 10-22-32 charge and that were created to as commonly owned open space and are exempt / should be abated because the charge for the contributing drainage area is already accounted for in the multi-family residential charge on the properties that are part of the development.

Pin Number	Legal Description	Fund		years	amount	
36-31-22-41-0017	OUTLOT D WEST OAKS, EX RD SUBJ TO EASE OF REC	84561	2013 BALD EAGLE LAKE WMD	1	\$150.00	
						(this one has to be abated for 2011, 2012, 2013)
36-31-22-43-0027	OUTLOT K WEST OAKS, EX RD SUBJ TO EASE OF REC	84561	2013 BALD EAGLE LAKE WMD	1	\$75.00	

are parcels that were identified in the BEL WMD charges and are parcels where owners are found to be very difficult to determine and should therefore be abated.

THEREFORE, BE IT RESOLVED by the Board as follows:

1. The ACD 10-22-32 & BEL WMD charges for Anoka County parcels listed in the above tables are abated for the years indicated.
2. Anoka County parcels listed in the above tables are removed from the list of properties used by RCWD for calculating and certifying the ACD 10-22-32 & BEL WMD charge.
3. The District Administrator is authorized to execute and submit to Anoka County the application for abatement and other necessary documents.

The question was on the adoption of the Resolution and there were __ yeas and __ nays as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>
WALLER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HAAKE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
OGATA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WAGAMON	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PREINER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Upon vote, the Chair declared the Resolution _____.

Harley Ogata, Secretary

Dated: March 27, 2013

* * * * *

I, Harley Ogata, Secretary of the Rice Creek Watershed District, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcript thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 27th day of March, 2013.

Harley Ogata, Secretary

ITEMS REQUIRING BOARD ACTION

5. Consider Staff's Finding of No Jurisdiction for Permit Application 13-013 for Adam Johnson's Proposed Construction of a Drawbridge in Lino Lakes. (Nick Tomczik, Chris Buntjer)

MEMORANDUM
Rice Creek Watershed District

To: Board of Managers **Date:** March 19, 2013
From: Nick Tomczik, Permit Coordinator/Wetland Specialist
Subject: Adam Johnson Drawbridge Application RCWD File # 13-013

Adam Johnson of 2055 Otter Lake Drive, Lino Lakes, MN applied to the District for construction of a drawbridge. Mr. Johnson owns adjacent parcels of land separated by an artificial channel, and intends to construct the drawbridge so that he can cross the channel with small motorized vehicles such as all-terrain vehicles to the landlocked parcel. When water flows in the channel, it connects an up-gradient DNR-regulated wetland to Otter Lake. Certain neighbors have expressed concern that the crossing would impede this use of the channel.

The first step in assessing a project application is to determine the applicability of the District rules to the proposed activity. Ordinarily this is a staff function but given the broader interest, staff wishes to provide transparency and allow the Board of Managers the opportunity to be aware of the matter.

The project area is located in Lino Lakes and is potentially subject to several District regulations including RMP-3, incorporating general District rules: B Procedural Requirements, C Stormwater Management and F Wetlands. Additionally the project is potentially subject to: Rule D Erosion Control Plans, Rule E Floodplain Alteration as well as Rule G Bridges and Culvert Crossings. The attached memorandum describes District staff's assessment of the project for each of the individual District rules.

In review of the submitted application and consistent with staff procedures to date, no permit would be required from RCWD for the proposed project. This assessment does not eliminate the need for permits from other agencies. RCWD was copied on the landowner application for a public waters permit application with the MnDNR, which has indicated that the structure may be subject to public waters permitting as below the ordinary high water level of Otter Lake. Further, up-gradient landowners may have a legal right of navigation pursuant to subdivision covenants or other legal principles. The District does not have reason to examine this question more closely, but if that is the case, Mr. Johnson will need to be sure that his actions do not infringe on any such rights. In summary, the lack of District regulatory jurisdiction does not affect the applicability of any other regulatory body's requirements or any private legal right to use the channel.

Attachments: RCWD Jurisdiction Assessment

Recommendation

At this time staff recommends the Board confirm staff's assessment of jurisdiction, determining that no RCWD permit is required for the proposed drawbridge project.

Proposed Motion: Manager _____ moves to confirm staff's assessment of jurisdiction, determining that no RCWD permit is required for the proposed drawbridge project.

To: RCWD File 13-013

Date: March 20, 2013

From: Chris Buntjer

Subject: Technical memo on rule applicability

Based on the submitted plans and narrative, as well as the ancillary tools available to District staff, I have determined that a RCWD permit will not be required specifically for the proposed drawbridge project over the constructed channel north of Otter Lake which bisects Mr. Johnson's two parcels.

RMP-3

No new impervious surface, land disturbance or wetland impacts are being proposed (posts and postholes are not considered to be wetland impacts); therefore, RCWD Rule RMP-3 does not apply.

Rule D – Sediment & Erosion Control

No land disturbing activity is proposed; therefore, RCWD Rule D does not apply.

Rule E – Floodplain Alteration

No floodplain fill is being proposed (posts and postholes are not considered to have an impact of floodplain elevation); therefore, rule E does not apply.

Rule G – Bridge and Culvert Crossings

Using the RCWD LiDAR data for the area, it was determined that the channel has less than 200 acres of area draining to it (see the attached map showing an estimated drainage area of approximately 105± acres), and for that reason the channel is not considered as a major watercourse. While areas adjacent to this drainage area may be hydraulically connected and drain to Otter Lake, they are unlikely to drain to the lake via the channel in question. Additionally, a man-made channel is not the same as a creek. For these reasons RCWD Rule G does not apply to this project.

These decisions may not apply if the scope of the project changes, and permits may be required from other agencies.

Chris Buntjer, P.E.
Technical Specialist/Permit Reviewer
Rice Creek Watershed District

13-013_Estimated Channel Drainage Map



RECEIVED
13-013
MAR 15 2013

March 10, 2013

Rice Creek
Watershed District

Mr. Tom Hovey, Ms. Kate Drewry, Members of the RCWD Board, Mayor Reinert and Members of the Lino Lakes City Council,

We, the undersigned, all landowners on Otter Lake Channel, petition all involved agencies to deny Mr. Adam Johnson's request to build a bridge on Otter Lake Channel on the following grounds:

- 1) Mr. Johnson's backyard is not landlocked, as he claims. Mr. Johnson has unrestricted access using the existing bridge. He spent months working with the Lino Lakes City Council to gain that access via a cartway. He has been assessed approximately \$50,000.00 dollars to help maintain the existing bridge and is now unhappy with that price. He is seeking a less expensive access to his property. This is strictly a monetary concern rather than an access concern.
- 2) No resident of 2055 Otter Lake Drive had previously been denied access using the existing bridge. This is a grudge between the landowners on Oak Brook peninsula and Mr. Johnson. It is not our battle and we should not be harmed by it. This proposal could diminish our property values and certainly restricts our riparian rights.
- 3) Any proposed bridge would create a navigational hazard. It is difficult to navigate under the existing bridge. Adding a second obstacle would enhance the danger drastically.

- 4) The current footings and structure for the proposed bridge are in the channel, reducing the clearance to 19 feet, where it had originally been up to 35 feet wide. The existing bridge was specifically designed to not restrict the channel at all. This has an impact on not only the property owners, but anyone using Otter Lake.
- 5) Any bridge of lesser quality than the existing one would negate the findings and rulings established by the RCWD Board in 1991. To build a bridge of the same quality would certainly cost more than the amount assessed to Mr. Johnson to use the cartway he so strongly desired.
- 6) The building of two private bridges, within 25 feet of each other, over public water does not seem to be in the best interest of the public or anyone except Mr. Johnson.
- 7) Mr. Johnson claims he contacted all proper agencies before starting any work. We notified the DNR on January 31, 2013 and the Mayor of Lino Lakes on January 14, 2013 when the "docks" first appeared. The DNR sent an officer out when we notified them of the construction. Mr. Johnson claimed they were docks, not bridge sections, then later changed his story. We are concerned that the true nature of his bridge and plans will be altered without permission from any agency if he is allowed to begin any construction.

We ask that this petition be read and entered into the minutes of every meeting, at every agency during the permitting process.

Sincerely,

John P. Mulvey 2011 Otter Lake Dr. John E. Mulvey

Tom & Heidi Fitzgerald 6342 Otter Lake Rd Tom Fitzgerald Heidi Fitzgerald

Mury Johnson 6334 Otter Lake Rd Mury Johnson

John and Linda Elliott 2001 Otter Lake Dr. Linda Elliott John Elliott

Gere Letourneau 2018 Otter Lake Dr. Gere Letourneau

Jim & Kaye Hill 2019 Otter Lake Ave, White Bear Lake, MN

Tim & Dianne Timote 6344 Otter Lake Rd - WBE

Kyle & Marie Kraemer 2008 Otter Lake Dr. Lino Lakes Mike Kraemer

ITEMS REQUIRING BOARD ACTION

6. Consider Check Register dated 3/27/2013, in the amount of \$182,540.53 prepared by HLB Tautges Redpath.

Rice Creek Watershed District
Check Register
March 14, 2013 - March 27, 2013
Approved at the March 27, 2013 Board Meeting

Check #	Date	Payee	Description	Amount
18818	03/27/13	Assurant Employee Benefits	Employee Benefits	526.98
18819	03/27/13	Allegra Printing & Imaging	Printing Expense	1,915.09
18820	03/27/13	Kyle Axtell	Employee Reimbursement	33.90
18821	03/27/13	Philip Belfiori	Employee Reimbursement	107.92
18822	03/27/13	Jessica Bromelkamp	Employee Reimbursement	896.51
18823	03/27/13	City of Shoreview	Training & Education	100.00
18824	03/27/13	City of Lino Lakes	Contracted Services	45.00
18825	03/27/13	C Lanphear Design	Contracted Services	700.00
18826	03/27/13	Dell Business Credit	Equipment-Computer	1,349.40
18827	03/27/13	Delta Dental	Employee Benefits	770.60
18828	03/27/13	ECM Publishers, Inc.	Legal Notices	111.15
18829	03/27/13	Emmons & Olivier Resources, Inc.	February Engineering Expense	304.00
18830	03/27/13	Hamline University	Training & Education	5,000.00
18831	03/27/13	HealthPartners	Employee Benefits	5,259.60
18832	03/27/13	HLB Tautges Redpath, Ltd	February, 2013 Accounting	4,252.02
18833	03/27/13	Holiday Credit	Vehicle Expense	347.11
18834	03/27/13	Elizabeth M. Hosch	Employee Reimbursement	111.49
18835	03/27/13	Houston Engineering, Inc.	February Engineering Expense	68,536.91
18836	03/27/13	Instrumental Research, Inc.	Lab Expense	408.00
18837	03/27/13	Integra Telecom, Inc.	Telecommunications	99.96
18838	03/27/13	Integra Telecom, Inc.	Telecommunications	522.71
18839	03/27/13	Matthew J. Kocian	Employee Reimbursement	307.85
18840	03/27/13	Jordan M. Kudrna	Employee Reimbursement	80.57
18841	03/27/13	League of MN Cities Ins. Truct	Insurance & Bonds	3,902.00
18842	03/27/13	MEPT Blaine, LLC	April Rent	5,250.82
18843	03/27/13	MN Mgmt. & Budget/ELD	Professional Services	1,275.00
18844	03/27/13	Harley Ogata	Manager Per Diem/Expense	1,146.52
18845	03/27/13	Personnel Concepts	Publications	15.90
18846	03/27/13	Pitney Bowes Global Financial Service	Printing Expense	213.18
18847	03/27/13	Premium Waters, Inc.	Meeting Supplies	55.30
18848	03/27/13	Press Publications	Legal Notices	141.90
18849	03/27/13	Patricia Preiner	Manager Per Diem/Expense	412.65
18850	03/27/13	Print Central	Printing Expense	260.92
18851	03/27/13	Jon Ridge	Construction-BMP Costshare	7,078.21
18852	03/27/13	Rinke Noonan	February Legal Fees	5,932.72
18853	03/27/13	Scandia Trucking & Excavating	Contracted Services	3,275.00
18854	03/27/13	Sherburne SWCD	Printing Expense	1,558.75
18855	03/27/13	Smith Partners	February Legal Fees	11,424.74
18856	03/27/13	Solbrekk, Inc.	Computer Software	50.00
18857	03/27/13	Theresa Stasica	Employee Reimbursement	51.41
18858	03/27/13	Staples Advantage	Office Supplies	345.62
18859	03/27/13	Pioneer Press	Legal Notices	359.80
18860	03/27/13	Timesavers, Inc.	Professional Services	350.45

Rice Creek Watershed District
Check Register
March 14, 2013 - March 27, 2013
Approved at the March 27, 2013 Board Meeting

Check #	Date	Payee	Description	Amount
18861	03/27/13	Nicholas A. Tomczik	Employee Reimbursement	106.90
18862	03/27/13	U.S. Bancorp Equipment Finance, Inc.	Equipment Lease	941.29
18863	03/27/13	Verizon Wireless	Cell Phone Expense	584.65
18864	03/27/13	Steve Wagamon	Manager Per Diem/Expense	498.06
18865	03/27/13	Washington Conservation District	Contracted Services/Printing	1,013.12
18866	03/27/13	WSB & Associates, Inc.	February Engineering Expense	4,172.00
10685	03/27/13	Minnesota Utilities & Excavating, LLC	Surety Release - #08-007	2,500.00
10686	03/27/13	Glen Rehbein Excavating, Inc.	Surety Release - #02-038	5,000.00
Dir.Dep.	03/29/13	Kyle J. Axtell	03/29 Payroll	1,436.27
Dir.Dep.	03/29/13	Philip J. Belfiori	03/29 Payroll	2,572.46
Dir.Dep.	03/29/13	Jessica R. Bromelkamp	03/29 Payroll	1,522.37
Dir.Dep.	03/29/13	Christopher R. Buntjer	03/29 Payroll	1,859.74
Dir.Dep.	03/29/13	Tara R. Daun	03/29 Payroll	542.27
Dir.Dep.	03/29/13	Matthew J. Kocian	03/29 Payroll	1,506.85
Dir.Dep.	03/29/13	Jordan M. Kudrna	03/29 Payroll	1,064.03
Dir.Dep.	03/29/13	Elizabeth M. Hosch	03/29 Payroll	1,515.11
Dir.Dep.	03/29/13	Thomas E. Schmidt	03/29 Payroll	2,181.38
Dir.Dep.	03/29/13	Theresa M. Stasica	03/29 Payroll	1,713.87
Dir.Dep.	03/29/13	Nicholas A. Tomczik	03/29 Payroll	2,392.75
EFT	03/27/13	Card Services - Anchor Bank	March, 2013 Credit Card	2,827.70
EFT	03/29/13	Internal Revenue Service	03/27 Federal Withholding	275.42
EFT	03/29/13	Internal Revenue Service	03/29 Federal Withholding	6,032.57
EFT	03/29/13	Minnesota Dept. of Revenue	03/29 State Withholding	1,008.85
EFT	03/29/13	ING Retirement Services	03/29 Deferred Compensation	260.00
EFT	03/29/13	ING Retirement Services	03/29 Health Care Savings Plan	558.36
EFT	03/29/13	PERA	03/29 PERA	3,566.85
Total				<u>\$182,540.53</u>

Rice Creek Watershed District Budget Status Report
Administrative & Program Budget
Fiscal Year 2013
03/31/13

Combined General & Administrative	Budget Item	Account Number	Original Budget	Budget Adjustment	Current Month Expenses	Year-to-Date Expenses	Current Budget Balance	Percent of Budget
Manager	Per diems	4000	\$15,000.00	-	\$1,800.00	\$2,775.00	\$12,225.00	18.50%
	Manager expenses	4010	4,500.00	-	394.94	611.90	3,888.10	13.60%
Committees	Committee/Bd Mtg. Exp.	4800	-	-	-	-	-	-
Employees	Staff salary/taxes/benefits	4100-4140	140,605.00	-	11,363.78	33,798.42	106,806.58	24.04%
	District training & education	4265	1,890.00	-	100.00	200.00	1,690.00	10.58%
	Employee expenses	4320-4321	1,761.00	-	147.33	427.02	1,333.98	24.25%
Administration/Office	Office/Meeting/Software	4200-4205	2,930.00	-	520.75	608.42	2,321.58	20.77%
	Printing	4208	594.00	-	47.71	47.71	546.29	8.03%
	Rent/Office	4210	17,851.00	-	1,175.13	3,465.79	14,385.21	19.42%
	Telecommunications	4240	3,129.00	-	238.16	713.19	2,415.81	22.79%
	Dues	4245	6,000.00	-	-	3,500.00	2,500.00	58.33%
	Publications	4250	210.00	-	15.90	15.90	194.10	7.57%
	Insurance	4270	3,251.00	-	873.27	873.27	2,377.73	26.86%
	Postage	4280	1,260.00	-	-	0.00	1,260.00	0.00%
	Legal Notices	4290	2,000.00	-	-	0.00	2,000.00	0.00%
	Office Equipment/Lease	4635	1,697.00	-	210.66	372.74	1,324.26	21.96%
	Bank Charges	4910	-	-	-	0.00	-	0.00%
	Sub-Total-Administration:		202,678.00	-	16,887.63	47,409.36	155,268.64	23.39%
Consultants	Auditor/Accounting	4330	52,600.00	-	4,252.02	8,966.62	43,633.38	17.05%
	Legal	4410	25,000.00	-	2,277.00	4,219.87	20,780.13	16.88%
	Consultants/Professional Serv.	4420	16,550.00	-	350.45	770.25	15,779.75	4.65%
	Engineering-General	4500	42,000.00	-	3,250.00	6,500.00	35,500.00	15.48%
	Sub-Total-Consultants:		136,150.00	-	10,129.47	20,456.74	115,693.26	15.03%
TOTAL			\$338,828.00	-	27,017.10	67,866.10	\$270,961.90	20.03%

Rice Creek Watershed District Budget Status Report
 Administrative & Program Budget
 Fiscal Year 2013
 03/31/13

Revenue/Expenditures By Project	2013 Budget	2013 Year to date Revenue	2013 Current Month Expense	2013 Year to date Expense	Current Budget Balance	Percent of Budget
10 - General and Administrative	\$338,828.00	\$71,001.41	\$27,017.10	\$67,866.10	\$270,961.90	20.03%
30 - Environmental Education	115,166.00	27,375.78	18,108.43	32,211.21	82,954.79	27.97%
35 - Information Management	107,889.00	23,985.31	6,236.01	15,892.21	91,996.79	14.73%
60 - Restoration Projects	973,929.00	317,876.92	21,874.08	44,101.77	929,827.23	4.53%
70 - Regulatory	762,550.00	167,304.32	61,985.11	135,059.43	627,490.57	17.71%
80 - Ditch & Creek Maintenance	1,125,692.00	253,584.66	44,351.15	150,182.62	975,509.38	13.34%
90 - Lake & Stream Management	1,506,011.00	313,756.85	22,387.15	53,140.09	1,452,870.91	3.53%
95 - District Facilities	155,000.00	34,458.92	973.50	1,263.00	153,737.00	0.81%
Total District Revenue/Expenditures	\$5,085,065.00	\$1,209,344.17	\$202,932.53	\$499,716.43	\$4,585,348.57	9.83%

Current Fund Balances:

Fund:	Unaudited Fund Balance @ 12/31/2012	1/1/2013 Fund Balance Transfers	Approved Fund Balance 1/1/2012	2013 Year to date Revenue	2013 Current Month Expense	2013 Year to date Expense	Unaudited Fund Balance @ 3/31/2013
10 - General Fund	\$174,640.69	-	174,640.69	\$71,001.41	\$27,017.10	\$67,866.10	\$177,776.00
30 - Environmental Education	84,567.52	-	84,567.52	27,375.78	18,108.43	32,211.21	79,732.09
35 - Information Management	35,389.11	-	35,389.11	23,985.31	6,236.01	15,892.21	43,482.21
60 - Restoration Projects	984,341.78	-	984,341.78	317,876.92	21,874.08	44,101.77	1,258,116.93
70 - Regulatory	303,156.01	-	303,156.01	167,304.32	61,985.11	135,059.43	335,400.90
80 - Ditch & Creek Maintenance	341,882.16	-	341,882.16	253,584.66	44,351.15	150,182.62	445,284.20
90 - Lake & Stream Management	1,675,271.92	-	1,675,271.92	313,756.85	22,387.15	53,140.09	1,935,888.68
95 - District Facilities	327,112.46	-	327,112.46	34,458.92	973.50	1,263.00	360,308.38
Total District Fund Balance:	\$3,926,361.65	-	\$3,926,361.65	\$1,209,344.17	\$202,932.53	\$499,716.43	\$4,635,989.39

Rice Creek Watershed District
Statement of Revenue and Expenditures - General Fund - 10
For the One Month and Three Months Ending March 31, 2013
See Accountant's Compilation Report

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>GENERAL FUND</u>				
Revenues				
General Property Tax	\$ 23,097.33	\$ 69,291.99	277,169.00	(207,877.01)
Interest Revenue	0.00	243.44	1,632.00	(1,388.56)
Investment Interest-Surety	0.00	1,445.98	24,500.00	(23,054.02)
Miscellaneous Revenue	0.00	20.00	0.00	20.00
Total Revenues	23,097.33	71,001.41	303,301.00	(232,299.59)
Expenses				
Manager Per Diem	1,800.00	2,775.00	15,000.00	(12,225.00)
Manager Expense	0.00	0.00	2,000.00	(2,000.00)
Manager Travel	394.94	611.90	2,500.00	(1,888.10)
Wages-General	8,473.62	25,339.85	100,857.00	(75,517.15)
Benefits	972.44	2,918.35	16,575.00	(13,656.65)
PERA Expense	614.34	1,837.13	7,312.00	(5,474.87)
HSA Contributions	558.36	1,675.08	6,145.00	(4,469.92)
Payroll Taxes	745.02	2,028.01	7,716.00	(5,687.99)
Payroll Taxes-Unemployment	0.00	0.00	2,000.00	(2,000.00)
Office Supplies	315.45	341.02	1,680.00	(1,338.98)
Supplies-Field	0.00	0.00	250.00	(250.00)
Meeting Supplies/Expense	205.30	267.40	1,000.00	(732.60)
Printing	47.71	47.71	594.00	(546.29)
Rent	1,175.13	3,465.79	17,851.00	(14,385.21)
Telecommunications	238.16	713.19	3,129.00	(2,415.81)
Dues	0.00	3,500.00	6,000.00	(2,500.00)
Publications	15.90	15.90	210.00	(194.10)
Training & Education	100.00	200.00	1,890.00	(1,690.00)
Insurance & Bonds	873.27	873.27	3,251.00	(2,377.73)
Postage	0.00	0.00	1,260.00	(1,260.00)
Legal Notices-General	0.00	0.00	2,000.00	(2,000.00)
Staff Travel	147.33	427.02	1,761.00	(1,333.98)
Audit & Accounting	4,252.02	8,966.62	52,600.00	(43,633.38)
Professional Services-General	350.45	770.25	16,550.00	(15,779.75)
Legal Fees-General	2,277.00	4,219.87	25,000.00	(20,780.13)
Engineering-General	3,250.00	6,500.00	42,000.00	(35,500.00)
Equipment Lease	210.66	372.74	1,697.00	(1,324.26)
Total Expenses	27,017.10	67,866.10	338,828.00	(270,961.90)
Total Revenues Over/(Under) Expenditures - General Fund	(3,919.77)	3,135.31	(35,527.00)	38,662.31
Total Revenue Over/(Under) Expenditure	\$ (3,919.77)	3,135.31	(35,527.00)	38,662.31

Rice Creek Watershed District
Statement of Revenue and Expenditures - Environmental Education - 30
For the One Month and Three Months Ending March 31, 2013
See Accountant's Compilation Report

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>ENVIRONMENTAL EDUCATION MANAGEMENT - 30-00</u>				
Revenues				
General Property Tax	\$ 6,449.25	\$ 19,347.75	77,391.00	(58,043.25)
Interest Income	0.00	82.79	555.00	(472.21)
Total Revenues	6,449.25	19,430.54	77,946.00	(58,515.46)
Expenses				
Wages-Environmental	4,793.36	14,371.10	52,637.00	(38,265.90)
Benefits-Environmental	359.32	1,078.39	11,105.00	(10,026.61)
PERA-Environmental	347.52	1,041.91	3,816.00	(2,774.09)
Payroll Taxes-Environmental	318.24	954.04	4,026.00	(3,071.96)
Office Supplies	32.45	41.36	720.00	(678.64)
Printing	20.02	20.02	255.00	(234.98)
Rent	493.05	1,454.14	7,651.00	(6,196.86)
Telecommunications	58.47	250.17	1,341.00	(1,090.83)
Publications	0.00	0.00	90.00	(90.00)
Training & Education	75.00	105.00	810.00	(705.00)
Insurance and Bonds	366.40	366.40	1,393.00	(1,026.60)
Postage	0.00	0.00	540.00	(540.00)
Staff Travel	47.80	140.07	755.00	(614.93)
Professional Services	255.00	255.00	0.00	255.00
Legal Fees	0.00	0.00	500.00	(500.00)
Engineering-Environ.	0.00	0.00	1,000.00	(1,000.00)
Equipment-Environmental	0.00	0.00	500.00	(500.00)
Equipment-Lease	88.39	156.39	727.00	(570.61)
Total Expenses	7,255.02	20,233.99	87,866.00	(67,632.01)
Total Revenues Over/(Under)				
Expenditures - Environmental Education	(805.77)	(803.45)	(9,920.00)	9,116.55
<u>WATER EDUCATION & OUTREACH - 30-02</u>				
Revenues				
General Property Tax	1,329.58	3,988.74	15,955.00	(11,966.26)
Total Revenues	1,329.58	3,988.74	15,955.00	(11,966.26)
Expenses				
Printing	0.00	0.00	4,500.00	(4,500.00)
Training & Education	5,227.16	5,236.74	6,000.00	(763.26)
Contracted Services	700.00	700.00	7,500.00	(6,800.00)
Total expenses	5,927.16	5,936.74	18,000.00	(12,063.26)
Total Revenues Over/(Under)				
Expenditures - Water Educ. & Outreach	(4,597.58)	(1,948.00)	(2,045.00)	97.00

Rice Creek Watershed District
Statement of Revenue and Expenditures - Environmental Education - 30
For the One Month and Three Months Ending March 31, 2013
See Accountant's Compilation Report

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>BLUE THUMB - 30-03</u>				
Revenues				
General Property Tax	295.50	886.50	3,546.00	(2,659.50)
Income-Blue Thumb Media	0.00	0.00	1,700.00	(1,700.00)
Income-Blue Thumb Membership	0.00	2,525.00	2,200.00	325.00
Income-Blue Thumb Training	0.00	505.00	1,400.00	(895.00)
Blue Thumb-Display User Fee	0.00	40.00	0.00	40.00
Total Revenues	295.50	3,956.50	8,846.00	(4,889.50)
Expenses				
Meeting Supplies	62.51	136.74	0.00	136.74
Printing	4,513.23	4,513.23	2,300.00	2,213.23
Training & Education	0.00	0.00	2,000.00	(2,000.00)
Public Education & Information	0.00	0.00	1,500.00	(1,500.00)
Postage	15.39	15.39	0.00	15.39
Contracted Services	335.12	1,375.12	3,500.00	(2,124.88)
Total expenses	4,926.25	6,040.48	9,300.00	(3,259.52)
Total Revenues Over/(Under)				
Expenditures - Blue Thumb	(4,630.75)	(2,083.98)	(454.00)	(1,629.98)
Total Revenue Over/(Under) Expenditure	\$ (10,034.10)	\$ (4,835.43)	(12,419.00)	7,583.57

Rice Creek Watershed District
Statement of Revenue and Expenditures - Information & Technology Management - 35
For the One Month and Three Months Ending March 31, 2013
See Accountant's Compilation Report

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>INFORMATION MANAGEMENT - 35-00</u>				
Revenues				
General Property Tax	\$ 4,992.92	\$ 14,978.76	59,915.00	(44,936.24)
Interest Revenue	0.00	77.56	520.00	(442.44)
Total Revenues	4,992.92	15,056.32	60,435.00	(45,378.68)
Expenses				
Wages-Information Mgmt.	2,045.09	6,165.61	24,983.00	(18,817.39)
Benefits-Information Mgmt.	64.19	192.63	1,127.00	(934.37)
PERA-Information Mgmt.	148.27	447.00	1,811.00	(1,364.00)
Payroll Taxes-Information Mgmt	155.00	467.35	1,911.00	(1,443.65)
Office Supplies	4.11	5.24	80.00	(74.76)
Computer Software	248.39	1,141.03	4,710.00	(3,568.97)
Printing	2.54	2.54	28.00	(25.46)
Rent	62.48	184.28	850.00	(665.72)
Telecommunications	7.41	72.08	149.00	(76.92)
Publications	0.00	0.00	10.00	(10.00)
Training & Education	0.00	0.00	90.00	(90.00)
Insurance and Bonds	46.43	46.43	155.00	(108.57)
Postage	0.00	0.00	60.00	(60.00)
Staff Travel	0.00	0.00	84.00	(84.00)
Professional Services	0.00	1,014.30	14,710.00	(13,695.70)
Engineering	0.00	0.00	2,000.00	(2,000.00)
Equipment-Computer	1,349.40	1,349.40	14,950.00	(13,600.60)
Equipment Lease	11.20	19.82	81.00	(61.18)
Total Expenses	4,144.51	11,107.71	67,789.00	(56,681.29)
Total Revenues Over/(Under)				
Expenditures - Information Management	848.41	3,948.61	(7,354.00)	11,302.61
<u>PERMITTING MAPPER APPLICATION HOSTING - 35-05</u>				
Revenues				
General Property Tax	2,976.33	8,928.99	35,716.00	(26,787.01)
Total Revenues	2,976.33	8,928.99	35,716.00	(26,787.01)
Expenses				
Engineering	2,091.50	4,784.50	40,100.00	(35,315.50)
Total expenses	2,091.50	4,784.50	40,100.00	(35,315.50)
Total Revenues Over/(Under)				
Expenditures - Permitting Mapper	884.83	4,144.49	(4,384.00)	8,528.49
Total Revenue Over/(Under) Expenditure	\$ 1,733.24	\$ 8,093.10	(11,738.00)	19,831.10

Rice Creek Watershed District
Statement of Revenue and Expenditures - Restoration Projects - 60
For the One Month and Three Months Ending March 31, 2013
See Accountant's Compilation Report

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>RESTORATION PROJECT MANAGEMENT - 60-00</u>				
Revenues				
General Property Tax	\$ 5,877.92	\$ 17,633.76	70,535.00	(52,901.24)
Interest Revenue	0.00	699.90	4,692.00	(3,992.10)
Total Revenues	<u>5,877.92</u>	<u>18,333.66</u>	<u>75,227.00</u>	<u>(56,893.34)</u>
Expenses				
Wages-Restoration Projects	4,321.27	13,017.98	50,751.00	(37,733.02)
Benefits-Restoration Projects	265.14	795.73	6,554.00	(5,758.27)
PERA-Restoration Projects	313.29	943.81	3,679.00	(2,735.19)
Payroll Taxes-Restoration	309.75	933.40	3,882.00	(2,948.60)
Office Supplies	23.36	29.77	640.00	(610.23)
Printing	14.41	14.41	226.00	(211.59)
Rent	354.96	1,046.87	6,801.00	(5,754.13)
Telecommunications	112.43	337.08	1,192.00	(854.92)
Publications	0.00	0.00	80.00	(80.00)
Training & Education	0.00	0.00	720.00	(720.00)
Insurance and Bonds	263.78	263.78	1,239.00	(975.22)
Postage	0.00	0.00	480.00	(480.00)
Staff Travel	0.00	0.00	671.00	(671.00)
Professional Services	255.00	255.00	0.00	255.00
Legal Fees	0.00	0.00	1,000.00	(1,000.00)
Engineering	0.00	0.00	7,500.00	(7,500.00)
Equipment Lease	63.63	88.11	646.00	(557.89)
Total Expenses	<u>6,297.02</u>	<u>17,725.94</u>	<u>86,061.00</u>	<u>(68,335.06)</u>
Total Revenues Over/(Under)				
Expenditures - Restoration Management	<u>(419.10)</u>	<u>607.72</u>	<u>(10,834.00)</u>	<u>11,441.72</u>
<u>RICE CREEK MEANDER RESTORATION - 60-03</u>				
Revenues				
General Property Tax	14,773.08	44,319.24	177,277.00	(132,957.76)
Total Revenues	<u>14,773.08</u>	<u>44,319.24</u>	<u>177,277.00</u>	<u>(132,957.76)</u>
Expenses				
Legal Notices	0.00	0.00	10,000.00	(10,000.00)
Contracted Services	0.00	0.00	50,000.00	(50,000.00)
Engineering-Rice Creek Meander	0.00	0.00	140,000.00	(140,000.00)
Total expenses	<u>0.00</u>	<u>0.00</u>	<u>200,000.00</u>	<u>(200,000.00)</u>
Total Revenues Over/(Under)				
Expenditures - Rice Creek Meander	<u>14,773.08</u>	<u>44,319.24</u>	<u>(22,723.00)</u>	<u>67,042.24</u>

Rice Creek Watershed District
Statement of Revenue and Expenditures - Restoration Projects - 60
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	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>COLUMBUS RMP - 60-17</u>				
Revenues				
General Property Tax	1,846.67	5,540.01	22,160.00	(16,619.99)
Total Revenues	1,846.67	5,540.01	22,160.00	(16,619.99)
Expenses				
Legal Fees	1,179.81	1,179.81	5,000.00	(3,820.19)
Engineering	1,687.83	1,756.83	20,000.00	(18,243.17)
Total expenses	2,867.64	2,936.64	25,000.00	(22,063.36)
Total Revenues Over/(Under)				
Expenditures - Columbus RMP	(1,020.97)	2,603.37	(2,840.00)	5,443.37
 <u>JD4 RMP IMPLEMENTATION - 60-18</u>				
Revenues				
General Property Tax	10,415.00	31,245.00	124,980.00	(93,735.00)
Income-Land	0.00	113,875.00	0.00	113,875.00
Total Revenues	10,415.00	145,120.00	124,980.00	20,140.00
Expenses				
Supplies-Field	0.00	326.25	0.00	326.25
Telecommunications	22.16	66.48	0.00	66.48
Postage	0.00	71.05	0.00	71.05
Professional Services	0.00	127.02	30,000.00	(29,872.98)
Contracted Services-JD4 RMP	0.00	0.00	50,000.00	(50,000.00)
Legal Fees	1,025.72	3,493.72	10,000.00	(6,506.28)
Engineering	2,272.00	5,476.63	50,000.00	(44,523.37)
Construction	0.00	1,000.00	1,000.00	0.00
Total expenses	3,319.88	10,561.15	141,000.00	(130,438.85)
Total Revenues Over/(Under)				
Expenditures - JD4 RMP Implement.	7,095.12	134,558.85	(16,020.00)	150,578.85
 <u>DISTRICT-WIDE SWMM MODEL-PHASE 2 - 60-19</u>				
Revenues				
General Property Tax	738.67	2,216.01	8,864.00	(6,647.99)
Total Revenues	738.67	2,216.01	8,864.00	(6,647.99)
Expenses				
Engineering-SWMM	0.00	403.00	10,000.00	(9,597.00)
Total expenses	0.00	403.00	10,000.00	(9,597.00)
Total Revenues Over/(Under)				
Expenditures - District-Wide SWMM	738.67	1,813.01	(1,136.00)	2,949.01

Rice Creek Watershed District
Statement of Revenue and Expenditures - Restoration Projects - 60
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	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>ACD 53/62 RMP IMPLEMENTATION - 60-21</u>				
Revenues				
General Property Tax	10,848.42	32,545.26	130,181.00	(97,635.74)
Total Revenues	10,848.42	32,545.26	130,181.00	(97,635.74)
Expenses				
Printing	0.00	0.00	1,000.00	(1,000.00)
Legal Notices	0.00	0.00	1,000.00	(1,000.00)
Contracted Services-RMP Imp.	0.00	0.00	10,000.00	(10,000.00)
Legal Fees	2,526.31	2,951.31	20,000.00	(17,048.69)
Engineering	2,766.58	2,766.58	114,868.00	(112,101.42)
Total expenses	5,292.89	5,717.89	146,868.00	(141,150.11)
Total Revenues Over/(Under)				
Expenditures - ACD 53/62 RMP Impleme	5,555.53	26,827.37	(16,687.00)	43,514.37
<u>LINO LAKES RMP IMPLEMENTATION - 60-22</u>				
Revenues				
General Property Tax	1,108.00	3,324.00	13,296.00	(9,972.00)
Total Revenues	1,108.00	3,324.00	13,296.00	(9,972.00)
Expenses				
Legal Fees	1,179.81	1,179.81	2,500.00	(1,320.19)
Engineering	2,780.84	2,780.84	12,500.00	(9,719.16)
Total expenses	3,960.65	3,960.65	15,000.00	(11,039.35)
Total Revenues Over/(Under)				
Expenditures - Lino Lakes RMP	(2,852.65)	(636.65)	(1,704.00)	1,067.35
<u>SW URBAN LAKE FLOOD MGMT. IMPLEMENTATION - 60-24</u>				
Revenues				
General Property Tax	22,159.58	66,478.74	265,915.00	(199,436.26)
Total Revenues	22,159.58	66,478.74	265,915.00	(199,436.26)
Expenses				
Contracted Services	0.00	0.00	20,000.00	(20,000.00)
Legal Fees	136.00	2,796.50	30,000.00	(27,203.50)
Engineering	0.00	0.00	200,000.00	(200,000.00)
Construction	0.00	0.00	50,000.00	(50,000.00)
Total expenses	136.00	2,796.50	300,000.00	(297,203.50)
Total Revenues Over/(Under)				
Expenditures - Southwest Urban Lake	22,023.58	63,682.24	(34,085.00)	97,767.24

Rice Creek Watershed District
Statement of Revenue and Expenditures - Restoration Projects - 60
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	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>JD 4/ACD 15 WMD - 60-25</u>				
Revenues				
JD 4-Special Assessments	0.00	0.00	51,793.00	(51,793.00)
Total Revenues	0.00	0.00	51,793.00	(51,793.00)
Expenses				
Contracted Services	0.00	0.00	9,000.00	(9,000.00)
Acquisitions	0.00	0.00	1,000.00	(1,000.00)
Engineering Expense	0.00	0.00	20,000.00	(20,000.00)
Construction-JD4	0.00	0.00	20,000.00	(20,000.00)
Total expenses	0.00	0.00	50,000.00	(50,000.00)
Total Revenues Over/(Under)				
Expenditures - JD 4/ACD 15 WMD	0.00	0.00	1,793.00	(1,793.00)
Total Revenue Over/(Under) Expenditure	\$ 45,893.26	\$ 273,775.15	(104,236.00)	378,011.15

Rice Creek Watershed District
Statement of Revenue and Expenditures - Regulatory Projects - 70
For the One Month and Three Months Ending March 31, 2013
See Accountant's Compilation Report

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>REGULATORY PROJECT MANAGEMENT - 70-00</u>				
Revenues				
General Property Tax	\$ 26,422.17	\$ 79,266.51	317,066.00	(237,799.49)
Interest Revenue	0.00	548.05	3,674.00	(3,125.95)
Total Revenues	26,422.17	79,814.56	320,740.00	(240,925.44)
Expenses				
Wages-Regulatory	17,642.63	52,298.20	207,887.00	(155,588.80)
Wages - Interns	0.00	0.00	3,500.00	(3,500.00)
Benefits-Regulatory	1,967.94	5,905.33	23,891.00	(17,985.67)
PERA-Regulatory	1,279.09	3,791.62	15,072.00	(11,280.38)
Payroll Taxes-Regulatory	1,330.37	3,943.08	16,171.00	(12,227.92)
Office Supplies	115.44	168.48	2,480.00	(2,311.52)
Meeting Supplies	0.00	0.00	877.00	(877.00)
Printing	71.20	71.20	0.00	71.20
Rent	1,753.77	5,172.36	26,352.00	(21,179.64)
Telecommunications	431.59	1,292.36	4,619.00	(3,326.64)
Publications	0.00	0.00	310.00	(310.00)
Training & Education	1,021.65	1,306.65	2,790.00	(1,483.35)
Insurance and Bonds	1,303.27	1,303.27	4,799.00	(3,495.73)
Postage	0.00	28.77	1,860.00	(1,831.23)
Staff Travel-Regulatory	200.64	537.31	2,600.00	(2,062.69)
Vehicle Expense	123.10	183.11	3,437.00	(3,253.89)
Professional Services	255.00	255.00	33,400.00	(33,145.00)
Legal Fees	0.00	0.00	1,500.00	(1,500.00)
Engineering-Regulatory	0.00	0.00	5,000.00	(5,000.00)
Equipment	0.00	0.00	500.00	(500.00)
Equipment Lease	314.39	556.27	2,505.00	(1,948.73)
Total Expenses	27,810.08	76,813.01	359,550.00	(282,736.99)
Total Revenues Over/(Under)				
Expenditures - Regulatory Management	(1,387.91)	3,001.55	(38,810.00)	41,811.55
<u>RULE/PLAN REVISIONS - PERMIT GUIDANCE - 70-01</u>				
Revenues				
General Property Tax	1,113.67	3,341.01	0.00	3,341.01
Market Value Credit	0.00	0.00	13,364.00	(13,364.00)
Total Revenues	1,113.67	3,341.01	13,364.00	(10,022.99)
Expenses				
Legal Fees	1,309.30	3,381.30	7,500.00	(4,118.70)
Engineering	0.00	10,279.25	7,500.00	2,779.25
Total expenses	1,309.30	13,660.55	15,000.00	(1,339.45)
Total Revenues Over/(Under)				
Expenditures - Rule/Plan Revisions	(195.63)	(10,319.54)	(1,636.00)	(8,683.54)

Rice Creek Watershed District
Statement of Revenue and Expenditures - Regulatory Projects - 70
For the One Month and Three Months Ending March 31, 2013
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	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>PERMIT REVIEW - 70-03</u>				
Revenues				
General Property Tax	20,120.58	60,361.74	241,447.00	(181,085.26)
Permit Fees	0.00	7,750.00	45,000.00	(37,250.00)
Total Revenues	<u>20,120.58</u>	<u>68,111.74</u>	<u>286,447.00</u>	<u>(218,335.26)</u>
Expenses				
Legal Fees	1,369.00	2,944.21	50,000.00	(47,055.79)
Engineering-Permit Review	27,605.50	35,166.50	266,000.00	(230,833.50)
Total expenses	<u>28,974.50</u>	<u>38,110.71</u>	<u>316,000.00</u>	<u>(277,889.29)</u>
Total Revenues Over/(Under) Expenditures - Permit Review	<u>(8,853.92)</u>	<u>30,001.03</u>	<u>(29,553.00)</u>	<u>59,554.03</u>
<u>EARLY COORDINATION/ROAD AUTHORITY - 70-07</u>				
Revenues				
General Property Tax	5,345.67	16,037.01	64,148.00	(48,110.99)
Total Revenues	<u>5,345.67</u>	<u>16,037.01</u>	<u>64,148.00</u>	<u>(48,110.99)</u>
Expenses				
Legal Fees	0.00	0.00	5,000.00	(5,000.00)
Engineering-Road Auth.	3,891.23	6,475.16	67,000.00	(60,524.84)
Total expenses	<u>3,891.23</u>	<u>6,475.16</u>	<u>72,000.00</u>	<u>(65,524.84)</u>
Total Revenues Over/(Under) Expenditures - Early Coordination	<u>1,454.44</u>	<u>9,561.85</u>	<u>(7,852.00)</u>	<u>17,413.85</u>
Total Revenue Over/(Under) Expenditure	<u>\$ (8,983.02)</u>	<u>\$ 32,244.89</u>	<u>(77,851.00)</u>	<u>110,095.89</u>

Rice Creek Watershed District
Statement of Revenue and Expenditures - Ditch & Creek Maintenance - 80
For the One Month and Three Months Ending March 31, 2013
See Accountant's Compilation Report

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>DITCH & CREEK MANAGEMENT - 80-00</u>				
Revenues				
General Property Tax	\$ 14,922.08	\$ 44,766.24	179,065.00	(134,298.76)
Interest Revenue	0.00	809.08	5,424.00	(4,614.92)
Miscellaneous Income	0.00	1,827.00	0.00	1,827.00
Total Revenues	14,922.08	47,402.32	184,489.00	(137,086.68)
Expenses				
Wages-Ditch & Creek Maint.	7,840.30	22,811.59	91,255.00	(68,443.41)
Benefits-Ditch & Creek Maint.	986.26	2,959.52	8,964.00	(6,004.48)
PERA-Ditch & Creek Maint.	568.43	1,388.85	6,616.00	(5,227.15)
Payroll Taxes-Ditch & Creek	590.37	1,981.89	6,981.00	(4,999.11)
Office Supplies	56.79	72.37	1,520.00	(1,447.63)
Supplies-Field	0.00	0.00	500.00	(500.00)
Printing	35.03	35.03	538.00	(502.97)
Rent	862.71	2,544.37	16,151.00	(13,606.63)
Telecommunications	187.75	561.17	2,831.00	(2,269.83)
Publications	0.00	0.00	190.00	(190.00)
Training & Education	0.00	0.00	1,710.00	(1,710.00)
Insurance and Bonds	641.10	641.10	2,942.00	(2,300.90)
Postage	0.00	0.00	1,140.00	(1,140.00)
Staff Travel	0.00	150.69	1,593.00	(1,442.31)
Vehicle Expense	173.55	339.61	0.00	339.61
Professional Services	255.00	255.00	14,027.00	(13,772.00)
Legal Fees-Ditch & Creek	0.00	0.00	10,000.00	(10,000.00)
Engineering-Ditch & Creek	0.00	911.00	8,000.00	(7,089.00)
Equipment	0.00	0.00	2,000.00	(2,000.00)
Equipment Lease	154.65	298.11	1,535.00	(1,236.89)
Total Expenses	12,351.94	34,950.30	178,493.00	(143,542.70)
Total Revenues Over/(Under)				
Expenditures - Ditch & Creek Mgmt.	2,570.14	12,452.02	5,996.00	6,456.02
<u>DITCHES - GENERAL - 80-02</u>				
Revenues				
General Property Tax	15,864.58	47,593.74	190,375.00	(142,781.26)
Total Revenues	15,864.58	47,593.74	190,375.00	(142,781.26)
Expenses				
Supplies-Field	0.00	0.00	3,000.00	(3,000.00)
Professional Services	0.00	0.00	1,000.00	(1,000.00)
Contracted Services-General	0.00	28,968.43	160,000.00	(131,031.57)
Legal Fees	0.00	0.00	3,000.00	(3,000.00)
Engineering Fees	0.00	0.00	12,000.00	(12,000.00)
Construction Expense	0.00	0.00	5,000.00	(5,000.00)
Total expenses	0.00	28,968.43	184,000.00	(155,031.57)
Total Revenues Over/(Under)				
Expenditures - Ditches - General	15,864.58	18,625.31	6,375.00	12,250.31

Rice Creek Watershed District
Statement of Revenue and Expenditures - Ditch & Creek Maintenance - 80
For the One Month and Three Months Ending March 31, 2013
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	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>REPAIR REPORTS - 80-03</u>				
Revenues				
General Property Tax	7,501.17	22,503.51	90,014.00	(67,510.49)
Total Revenues	7,501.17	22,503.51	90,014.00	(67,510.49)
Expenses				
Legal Fees	0.00	3,085.50	8,000.00	(4,914.50)
Engineering	12,314.25	27,680.22	79,000.00	(51,319.78)
Total expenses	12,314.25	30,765.72	87,000.00	(56,234.28)
Total Revenues Over/(Under)				
Expenditures - Repair Reports	(4,813.08)	(8,262.21)	3,014.00	(11,276.21)
<u>ACD 10-22-32 Repair Report/Implementation - 80-06</u>				
Revenues				
General Property Tax	21,382.67	64,148.01	256,592.00	(192,443.99)
Total Revenues	21,382.67	64,148.01	256,592.00	(192,443.99)
Expenses				
Printing	260.92	260.92	1,000.00	(739.08)
Postage	0.00	0.00	1,000.00	(1,000.00)
Legal Notices	612.85	922.86	2,000.00	(1,077.14)
Professional Services	0.00	1,905.30	0.00	1,905.30
Contracted Services	3,320.00	3,320.00	20,000.00	(16,680.00)
Legal Fees	0.00	1,224.00	10,000.00	(8,776.00)
Engineering	5,012.68	19,300.08	25,000.00	(5,699.92)
Construction	0.00	0.00	189,000.00	(189,000.00)
Total expenses	9,206.45	26,933.16	248,000.00	(221,066.84)
Total Revenues Over/(Under)				
Expenditures - Drainage Records	12,176.22	37,214.85	8,592.00	28,622.85
<u>JD-2/Hugo - 80-15</u>				
Revenues				
General Property Tax	3,448.83	10,346.49	41,386.00	(31,039.51)
Total Revenues	3,448.83	10,346.49	41,386.00	(31,039.51)
Expenses				
Contracted Services	0.00	0.00	40,000.00	(40,000.00)
Total expenses	0.00	0.00	40,000.00	(40,000.00)
Total Revenues Over/(Under)				
Expenditures - JD-2/Hugo	3,448.83	10,346.49	1,386.00	8,960.49

Rice Creek Watershed District
Statement of Revenue and Expenditures - Ditch & Creek Maintenance - 80
For the One Month and Three Months Ending March 31, 2013
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	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>JD 2/Weir - 80-16</u>				
Revenues				
Total Revenues	0.00	0.00	0.00	0.00
Expenses				
Legal Fees-JD2/Weir Litigation	6,354.51	19,865.51	0.00	19,865.51
Engineering Expense	4,124.00	7,988.50	0.00	7,988.50
Total expenses	10,478.51	27,854.01	0.00	27,854.01
Total Revenues Over/(Under) Expenditures - JD-2/Weir	(10,478.51)	(27,854.01)	0.00	(27,854.01)
<u>ACD 10-22-32 WMD - 80-17</u>				
Revenues				
General Property Tax	19,629.67	58,889.01	235,556.00	(176,666.99)
Special Assessments-10-22-32	0.00	2,701.58	160,530.00	(157,828.42)
Total Revenues	19,629.67	61,590.59	396,086.00	(334,495.41)
Expenses				
Legal Fees	0.00	0.00	10,000.00	(10,000.00)
Engineering Expense	0.00	711.00	30,000.00	(29,289.00)
Construction Expense	0.00	0.00	348,199.00	(348,199.00)
Total expenses	0.00	711.00	388,199.00	(387,488.00)
Total Revenues Over/(Under) Expenditures - 10-22-32 WMD	19,629.67	60,879.59	7,887.00	52,992.59
Total Revenue Over/(Under) Expenditure	\$ 38,397.85	\$ 103,402.04	33,250.00	70,152.04

Rice Creek Watershed District
Statement of Revenue and Expenditures - Lake & Stream - 90
For the One Month and Three Months Ending March 31, 2013
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	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>LAKE & STREAM MANAGEMENT - 90-00</u>				
Revenues				
General Property Tax	\$ 13,678.58	\$ 41,035.74	164,143.00	(123,107.26)
Interest Income	0.00	1,082.36	7,256.00	(6,173.64)
Total Revenues	13,678.58	42,118.10	171,399.00	(129,280.90)
Expenses				
Wages-Lake & Stream Mgmt.	6,468.40	19,478.31	78,909.00	(59,430.69)
Wages-Interns	0.00	0.00	3,500.00	(3,500.00)
Benefits-Lake & Stream Mgmt.	495.77	1,487.74	10,719.00	(9,231.26)
PERA-Lake & Stream Mgmt.	468.99	1,185.06	5,721.00	(4,535.94)
Payroll Taxes-Lake & Stream	467.17	1,634.25	6,304.00	(4,669.75)
Office Supplies	36.12	46.02	880.00	(833.98)
Printing-Lake & Stream	22.27	22.27	311.00	(288.73)
Rent	548.72	1,618.32	9,351.00	(7,732.68)
Telecommunications	149.35	446.75	1,639.00	(1,192.25)
Publications	0.00	0.00	110.00	(110.00)
Training & Education	0.00	50.00	990.00	(940.00)
Insurance and Bonds	407.75	407.75	1,703.00	(1,295.25)
Postage	0.00	0.00	660.00	(660.00)
Staff Travel	80.57	80.57	922.00	(841.43)
Vehicle Expense	0.00	0.00	3,427.00	(3,427.00)
Professional Services	255.00	255.00	0.00	255.00
Legal Fees	0.00	0.00	1,000.00	(1,000.00)
Engineering	71.00	71.00	15,000.00	(14,929.00)
Equipment Lease	98.37	174.03	889.00	(714.97)
Repairs & Maint.-Lake & Stream	0.00	400.00	0.00	400.00
Total Expenses	9,569.48	27,357.07	142,035.00	(114,677.93)
Total Revenues Over/(Under)				
Expenditures - Lake & Stream Mgmt.	4,109.10	14,761.03	29,364.00	(14,602.97)
<u>BMP COST-SHARE PROGRAM - 90-01</u>				
Revenues				
General Property Tax	10,148.92	30,446.76	121,787.00	(91,340.24)
Total Revenues	10,148.92	30,446.76	121,787.00	(91,340.24)
Expenses				
Contracted Services	378.00	378.00	30,000.00	(29,622.00)
Engineering-BMP Cost-Share	0.00	0.00	70,000.00	(70,000.00)
Construction-BMP Costshare	7,078.21	7,078.21	0.00	7,078.21
Total expenses	7,456.21	7,456.21	100,000.00	(92,543.79)
Total Revenues Over/(Under)				
Expenditures - BMP Cost-Share Program	2,692.71	22,990.55	21,787.00	1,203.55

Rice Creek Watershed District
Statement of Revenue and Expenditures - Lake & Stream - 90
For the One Month and Three Months Ending March 31, 2013
See Accountant's Compilation Report

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>LAKE & STREAM MONITORING - 90-04</u>				
Revenues				
General Property Tax	20,297.83	60,893.49	243,574.00	(182,680.51)
Total Revenues	20,297.83	60,893.49	243,574.00	(182,680.51)
Expenses				
Supplies-Field	17.63	17.63	3,000.00	(2,982.37)
Computer Software	0.00	0.00	1,095.00	(1,095.00)
Printing	0.00	0.00	350.00	(350.00)
Telecommunications	0.00	0.00	1,000.00	(1,000.00)
Publications	50.00	50.00	300.00	(250.00)
Training & Education	560.00	560.00	1,975.00	(1,415.00)
Staff Travel	63.85	204.89	0.00	204.89
Vehicle Expense	89.98	149.99	1,500.00	(1,350.01)
Contracted Services	0.00	0.00	95,145.00	(95,145.00)
Legal Fees	0.00	0.00	500.00	(500.00)
Engineering	0.00	0.00	53,200.00	(53,200.00)
Equipment	0.00	149.37	19,435.00	(19,285.63)
Repairs & Maintenance	0.00	0.00	500.00	(500.00)
Lab Expense	408.00	408.00	22,000.00	(21,592.00)
Total expenses	1,189.46	1,539.88	200,000.00	(198,460.12)
Total Revenues Over/(Under)				
Expenditures - Lake & Stream Montr.	19,108.37	59,353.61	43,574.00	15,779.61
<u>BALD EAGLE LAKE TMDL - 90-06</u>				
Revenues				
General Property Tax	26,488.75	79,466.25	317,865.00	(238,398.75)
Total Revenues	26,488.75	79,466.25	317,865.00	(238,398.75)
Expenses				
Professional Services	0.00	0.00	50,000.00	(50,000.00)
Legal Fees	0.00	0.00	10,000.00	(10,000.00)
Engineering Expense	0.00	0.00	70,000.00	(70,000.00)
Construction Expense	0.00	0.00	131,000.00	(131,000.00)
Total expenses	0.00	0.00	261,000.00	(261,000.00)
Total Revenues Over/(Under)				
Expenditures - Bald Eagle Lake TMDL	26,488.75	79,466.25	56,865.00	22,601.25

Rice Creek Watershed District
Statement of Revenue and Expenditures - Lake & Stream - 90
For the One Month and Three Months Ending March 31, 2013
See Accountant's Compilation Report

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>TMDL IMPLEMENTATION - 90-23</u>				
Revenues				
General Propety Tax	27,402.08	82,206.24	328,825.00	(246,618.76)
Total Revenues	27,402.08	82,206.24	328,825.00	(246,618.76)
Expenses				
Contracted Services	0.00	0.00	150,000.00	(150,000.00)
Legal Fees	0.00	173.00	5,000.00	(4,827.00)
Acquisitions	0.00	0.00	35,000.00	(35,000.00)
Engineering	0.00	0.00	80,000.00	(80,000.00)
Total expenses	0.00	173.00	270,000.00	(269,827.00)
Total Revenues Over/(Under)				
Expenditures - TMDL Implementation	27,402.08	82,033.24	58,825.00	23,208.24
<u>BALD EAGLE LAKE WMD - 90-24</u>				
Revenues				
Bald Eagle-Special Assessment	0.00	0.00	65,000.00	(65,000.00)
Income-Grants	0.00	0.00	30,000.00	(30,000.00)
Total Revenues	0.00	0.00	95,000.00	(95,000.00)
Expenses				
Legal Notices	0.00	0.00	2,000.00	(2,000.00)
Professional Services	0.00	84.68	2,000.00	(1,915.32)
Contracted Services	0.00	0.00	48,976.00	(48,976.00)
Legal Fees	0.00	0.00	1,000.00	(1,000.00)
Engineering Expense	0.00	0.00	5,000.00	(5,000.00)
Total expenses	0.00	84.68	58,976.00	(58,891.32)
Total Revenues Over/(Under)				
Expenditures - Bald Eagle Lake WMD	0.00	(84.68)	36,024.00	(36,108.68)
<u>BALD EAGLE LAKE STORMWATER REUSE PROJECT - 90-25</u>				
Revenues				
General Property Tax	6,208.67	18,626.01	74,504.00	(55,877.99)
Grants-BWSR CWL	0.00	0.00	412,825.00	(412,825.00)
Total Revenues	6,208.67	18,626.01	487,329.00	(468,702.99)
Expenses				
Contracted Services	0.00	0.00	29,000.00	(29,000.00)
Legal Fees	0.00	0.00	5,000.00	(5,000.00)
Engineering	4,172.00	16,529.25	80,000.00	(63,470.75)
Construction Expense	0.00	0.00	360,000.00	(360,000.00)
Total expenses	4,172.00	16,529.25	474,000.00	(457,470.75)
Total Revenues Over/(Under)				
Expenditures - Bald Eagle Lake WMD	2,036.67	2,096.76	13,329.00	(11,232.24)
Total Revenue Over/(Under) Expenditure	\$ 81,837.68	\$ 260,616.76	259,768.00	848.76

Rice Creek Watershed District
Statement of Revenue and Expenditures - District Facilities - 95
For the One Month and Three Months Ending March 31, 2013
See Accountant's Compilation Report

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>LONG LAKE SEDIMENT BASIN - 95-01</u>				
Revenues				
General Propety Tax	\$ 4,397.92	\$ 13,193.76	52,774.00	(39,580.24)
Interest	0.00	111.44	747.00	(635.56)
Total Revenues	4,397.92	13,305.20	53,521.00	(40,215.80)
Expenses				
Contracted Services	0.00	0.00	52,000.00	(52,000.00)
Legal Fees	0.00	0.00	2,000.00	(2,000.00)
Engineering	0.00	0.00	6,000.00	(6,000.00)
Total Expenses	0.00	0.00	60,000.00	(60,000.00)
Total Revenues Over/(Under)				
Expenditures - Long Lake Sediment Basi	4,397.92	13,305.20	(6,479.00)	19,784.20
<u>OUTFALL & STRUCTURE ASSESSMENT& REPAIR - 95-03</u>				
Revenues				
General Propety Tax	5,566.75	16,700.25	66,801.00	(50,100.75)
Total Revenues	5,566.75	16,700.25	66,801.00	(50,100.75)
Expenses				
Legal Fees	0.00	0.00	5,000.00	(5,000.00)
Engineering	973.50	1,263.00	30,000.00	(28,737.00)
Construction	0.00	0.00	40,000.00	(40,000.00)
Total expenses	973.50	1,263.00	75,000.00	(73,737.00)
Total Revenues Over/(Under)				
Expenditures - Outfall & Structure	4,593.25	15,437.25	(8,199.00)	23,636.25
<u>EASEMENT OPERATION & MAINTENANCE - 95-04</u>				
Revenues				
General Propety Tax	1,484.49	4,453.47	17,814.00	(13,360.53)
Total Revenues	1,484.49	4,453.47	17,814.00	(13,360.53)
Expenses				
Supplies-Field	0.00	0.00	3,000.00	(3,000.00)
Contracted Services	0.00	0.00	9,000.00	(9,000.00)
Engineering	0.00	0.00	3,000.00	(3,000.00)
Equipment	0.00	0.00	5,000.00	(5,000.00)
Total expenses	0.00	0.00	20,000.00	(20,000.00)
Total Revenues Over/(Under)				
Expenditures - Wall Wetland Restoration	1,484.49	4,453.47	(2,186.00)	6,639.47
Total Revenue Over/(Under) Expenditure	\$ 10,475.66	\$ 33,195.92	(16,864.00)	50,059.92

ITEMS FOR DISCUSSION AND INFORMATION

2. Staff Report.

MEMORANDUM

Rice Creek Watershed District

Date: March 21, 2013
To: RCWD Board of Managers
From: Kyle Axtell, Water Resource Specialist
Subject: Staff Activity Report for 02/18/13 – 03/20/13

Tasks completed during preceding period

- Updated RCWD website as needed.
- Continued working with J. Bromelkamp and T. Daun on substantial revisions to the RCWD website.
- Continued coordination of West Moore Lake Water Quality Enhancement Project (2011 CWP Grant).
- Continued coordination of the Oneka Ridge Golf Course Re-Use Irrigation Project (2012 CWF Grant).
Obtained verbal approval from ORGC ownership on language of easements required by BWSR.
- Worked with N. Tomczik and C. Buntjer to complete final draft of the revised RCWD rules.
- Began planning targeted outreach efforts with J. Bromelkamp to promote raingarden installation in the Silver Lake subwatershed (in conjunction with the Cities of Saint Anthony and Columbia Heights).
- Met with principals and teachers from Fridley Middle school and High School on 02-22-2013 to discuss aligning curriculum with the raingarden projects we recently installed.
- Discussed potential restoration project ideas with the Birchwood Village Parks Committee Chair.
- Completed a floodplain review for a property in Lino Lakes.
- Reviewed one project that did not require a RCWD permit.
- Participated in a Hardwood Creek Trail Master Plan TAC Meeting on 02-26-2013.
- Continued planning for 2013 Bald Eagle Lake TMDL implementation with J. Bromelkamp and M. Kocian.
- Completed final review of the City of Roseville Local Surface Water Management Plan and obtained RCWD Board approval of the document.
- Worked with E. Hosch and C. Buntjer to prepare draft comments on MPCA's proposed revisions to the NPDES Construction Permit.
- Continued assisting J. Bromelkamp and T. Daun with efforts to redesign the RCWD website.
- Participated in a RCWD regulatory team meeting on 03-18-2013.
- Provided preliminary input to the Anoka SWCD regarding the content of the Moore Lake Subwatershed Stormwater Retrofit Assessment (currently underway).
- Attended a Project Management Training at the Mississippi WMO office on 03-19-2013 and 03-20-2013.
- Attended RCWD Board meetings on 02-27-2013 and 03-13-2013.
- Attended RCWD Staff meetings on 02-19-2013 and 03-18-2013.
- Attended a RCWD CAC meeting on 03-06-2013.

MEMORANDUM

Rice Creek Watershed District

Date: March 20, 2013
To: Phil Belfiori, Administrator
From: Jessica Bromelkamp; Education, Outreach and Communication Coordinator
Subject: Education, Outreach and Communication Work (2/21/13 – 3/20/13)

General

- Finalized and printed the first edition of the RCWD biannual newsletter
 - Established RCWD mailing list and finalized MailChimp layout
- Finalized RCWD site map for website reorganization
- Finalized Exemplary Permittee Award criterion and processes for recognition
 - Identified April award recipient with Elizabeth's input
- Developed training opportunity concepts for city staff and developers to familiarize them with the upcoming Rule revisions (pending staff input and changes after public comment period closes)
 - Established tentative goals to create audience-specific informational packets
 - Training for developers may highlight Exemplary Permittee Award recipient
- Drafted CAC meeting notes and led education portion of the March meeting
 - Discussed individual goal progress and opportunities for engagement
 - Set-up display for CAC review and to increase familiarity w/RCWD materials
- Reviewed the Clean Water Partnership grant application in partnership with Matt
- Attended the WaterShed Partner's monthly meeting
 - Met with the MS4 work group to evaluate resources and determine next steps
- Attended the Clean Water Summit planning meeting to identify event goals, audiences and strategies for engaging people in water resource restoration/protection work
- Attended the *Our Water, Our Future: Resources in the NE Metro* planning meeting to discuss the three-part educational series about water use and its impact on lake levels
- Attended Washington County Fair planning meeting and researched requirements for participation in other RCWD counties
 - Spoke with Ramsey and Anoka Conservation District representatives to discuss coordinating a booth at the fair in the future
- Created MS4 tracking spreadsheet to assist with future reporting

RCWD Projects

- Fridley Raingarden Project
 - Met with principals and teachers from the middle/high schools in Fridley to discuss collaboration on the education station and curriculum components of the Clean Water Legacy grant. The middle school will partner with RCWD on both components this spring and plans to meet next week.
- Bald Eagle Lake
 - Met with Kyle, Matt and Phil to create short and medium-term project goals as well as timeline for completion. The three demonstration projects will be completed mid-summer or early fall depending upon CWP funding and requirements.
- JD4 Project
 - Finalized and sent JD4 article to papers in Forest Lake and Columbus
- Silver Lake TMDL

MEMORANDUM

Rice Creek Watershed District

- Worked with the Cities of St. Anthony and Columbia Heights to plan an open house on 4/17/13 to discuss the Silver Lake Raingarden Initiative
 - Targeting residents in both cities located in areas that do not have stormwater treatment BMPs in place.

Blue Thumb

- Sent proposed agenda for the 3/28/13 steering committee meeting
- Met with steering committee members to begin informal needs assessment
- Ordered materials for partners and sent invoices

MEMORANDUM
Rice Creek Watershed District

To: Board of Managers

Date: March 20, 2013

From: Chris Buntjer

Subject: Technical Specialist/Permit Reviewer's Report for February 20, 2013 – March 20, 2013

Highlights for Preceding Month

- ✓ Meetings and Assistance to parties in need of pre-application/application assistance:
 - Willowbrook Homes – 13-002R, 13-015
 - Cheetah Precision Expansion – 13-017
 - TCAAP Demo and remediation – 13-008R, 13-023
 - White Bear Lakes BoatWorks – 13-018
 - 9218 Lake Drive, Columbus
 - Aveda Parking Lot Rehab – 13-018R
 - Amendments for Cummins Power Generation – 12-045
 - Josephine Heights – 13-024

- ✓ Permit Application Review
 - Silver Lake Village Apartments – 13-004
 - Marquest Meadows East – 13-011 (Issued)
 - 2055 Otter Lake Drive – Draw Bridge – 13-013
 - Cheetah Precision Expansion – 13-017
 - Lake Ave S Improvements – 13-018 (CAPROC)
 - Cummins Power Generation – 12-045 (Amendment)
 - White Bear Township Compost Site - 05-067 (Amendment)
 - Initial Reviews for Permits 13-019 through 13-023

- ✓ Meetings / Administration:
 - Rule revision work
 - NPDES permit revision meeting at MPCA – 3-8-13
 - RCWD comments on MPCA revised NPDES permit
 - Staff Training Event – Creative Problem Solving – 3-11-13
 - 2-27-13 and 3-13-13 Board Meetings, and 3-11-13 Board Workshop
 - Annual Leave – 2-28-13, 3-1-13, 3-4-13, 3-5-13

MEMORANDUM
Rice Creek Watershed District

To: Board of Managers

Date: 3/20/13

From: Elizabeth Hosch

Subject: District Inspector's Report (February 20 through March 19, 2013)

Highlights from Preceding Month

- ✓ Conducted surety request, routine and follow-up inspections and investigations, as requested/necessary, totaling 2.
- ✓ Closed 4 permits and returned \$7,500 in surety.
- ✓ Continued to assist new staff with inspection processes and practices.
- ✓ Worked through existing permits in the northern portions of the district, closing out and following up as necessary. (ongoing project)
- ✓ Brought #07-106, FL ice arena, before the Board to set compliance hearing. (Subsequently canceled upon receipt of written response to outstanding items including deadline for completion.)
- ✓ Solicited and reviewed applications, interviewed candidates, and selected our 2013 summer intern, in conjunction with Lakes/Streams program.
- ✓ Reviewed permit list for 2012 Annual Hugo Audit, received file documentation.
- ✓ Prepared procedure for RCWD Exemplary Permittee Awards.
- ✓ Participated in all staff training focusing on problem solving.
- ✓ Attended Minnesota Erosion Control Association annual conference.
- ✓ Attended Construction Installer Recertification class, passed recertification exam with 97%.
- ✓ Reviewed MPCA NPDES draft permit, coordinated with staff for RCWD comment.
- ✓ Prepared specific historic permits for Board decision. (ongoing project as time allows)
- ✓ Attended City staff meetings, as appropriate.
- ✓ Acted as point of contact for IT concerns, facilitating communications with Solbrekk.

MEMORANDUM
Rice Creek Watershed District

To: Board of Managers

Date: March 20, 2013

From: Jordan Kudrna

Subject: District Inspector/Technician Report (February 19 – March 20)

Highlights from Preceding Month

- ✓ Attended the MECA Conference in St. Cloud March 6th and 7th.
- ✓ Recorded board meetings when necessary.
- ✓ Worked through existing permits in the eastern and southern portions of the district, closing out and following up as necessary.
- ✓ Attended staff meetings when necessary.
- ✓ Assisted landowners and citizens on water quality/permit questions issues when situations arise.
- ✓ Ongoing help with ACD 10-22-32 project. (Map edits, address production from county parcels, etc.)
- ✓ Served as initial point of contact for the 10-22-32, answering questions when they arose.
- ✓ Ongoing assistance to the website renovation. Helping Jessica Bromelkamp with drainage language and possible FAQ's.
- ✓ Attended the Problem Solving training in the conference room on March 11.
- ✓ Met with Minnehaha Creek staff in the conference room on March 13 to show them our permit viewer, database, and Laserfiche.
- ✓ Lake and stream monitoring equipment checking.

MEMORANDUM
Rice Creek Watershed District

To: Board of Managers

Date: 3/18/2013

From: Matthew Kocian

Subject: Lake and Stream Report for February 21 – March 20, 2013

Highlights for Preceding Month

Bold indicates significant time commitment

- **Review intern applications and conduct interviews**
- **Bald Eagle Lake TMDL Implementation**
 - CWP Loan application
 - Prepare and submit supporting CWP documentation
 - Meet with BEAA – project planning
- **Attend *Project Management* training course**
- Attend Metro Chloride Monitoring meeting
- Carp Management
 - Project planning – costs, timeline, responsibilities
 - Meet with Dr. Sorenson and grad students – field site tour
- GIS
 - Various maps for RCWD staff projects / permits / grant applications
- Clear Lake / Northland Mall Project development
 - Meet with City / Engineers on overall project scope and timeline
 - Review 2013 CWF grant details
- Silver Lake TMDL Implementation
 - Coordinate carp removal activities with St. Anthony Village
 - Partner conference call
- Prepare for possible 2012 curlyleaf pondweed treatments
 - Review 2012 plant data and outline 2013 management options
 - Prepare and submit permit and grant applications
- RCWD staff training – Problem Solving
- Eagle Brook Church / ACD 72 Water quality project
 - Develop project concept
 - Meet with Eagle Brook Church (landowner)

MEMORANDUM
Rice Creek Watershed District

To: Board of Managers

Date: March 19, 2013

From: Nick Tomczik

Subject: Permit Coordinator/Wetland Specialist's Report for February – March 2013

Highlights for Preceding Month

- ✓ Meetings and Assistance to parties in need of pre-application/application assistance
 - Aveda Pre-Application Parking Lot
 - Kwik Trip Pre-Application Blaine
 - Adam Johnson Bridge Project

- ✓ Wetland Delineation/Replacement/Exemption Application
 - Otter Lake Road Extension
 - Taylor Restoration 12-076R
 - Hair/Brown's Preserve Wetland Bank
 - Willowbrook 13-015
 - TCAAP Recording 05-132
 - Marquest Meadows East Deminimis 13-011
 - Century Farms Hydrologic Monitoring
 - Christ Lutheran Church
 - Blaine Ballfields Incidental Application
 - MnDOT 10/96 Road Bank Sign-off
 - Bethel Residence Hall Sign-off 04-012
 - Village At Circle Pines Sign-off 02-038
 - Black Wetland Fill 12-136R

- ✓ Meetings / Administration:
 - CSAH 14 Pedestrian Trail 12-097
 - Walgreens 12-077
 - MCES Forcemain 12-098
 - Lino Lakes NE Quad SW Plan
 - ACD Wetland Claim
 - Forest Lake City Hall
 - CWPMP Banking Methods
 - WPA Forum, Meeting
 - Permit Triage Process
 - Houle/Hair Wetland Monitoring/Credit Deposit
 - Rule Revision
 - HEI/Smith Partners/RCWD Communication Board Meetings & Workshops (agenda items, participation)

MEMORANDUM

Rice Creek Watershed District

To: Board of Managers

From: Tom Schmidt – RCWD Public Drainage Inspector

Subject: Staff Report for February/March 2013

Date: March 20th, 2013

Highlights for Preceding Month(s)

- ✓ Continued to meet and talk with ACD 53-62, ACD 10-22-32 & ACD #15/AWJD #4 landowners concerning repair reports as well as other landowners on various drainage systems regarding drainage concerns (ongoing);
- ✓ Contracted with Olson Sewer for temporary repairs to Pat Cerney's driveway related to construction of AWJD #4 project (ongoing);
- ✓ Assisted with and attended ACD #10-22-32 ditch right of way determination public hearing (ongoing);
- ✓ Started work on ACD #10-22-32 between 137th Ave. and east of Jodrell (Scandia Trucking) (on hold until spring);
- ✓ Assisted HEI on ARJD #1 Historical Review Memo (complete);
- ✓ Assisted Education Coordinator on ACD #10-22-32 letter, article for newsletter, and website redesign (ongoing);
- ✓ Assisted staff with technical questions/data collection (ongoing).

Upcoming Activities

- ✓ Continued assistance and field inspections for repair reports for ACD #53-62 and ACD #10-22-32 (ongoing);
- ✓ Tile repair on Branch #3-lateral #1 of AWJD #4 (weather permitting);
- ✓ Tile repair on Branch #4 of AWJD #4 (weather permitting);
- ✓ Continue monitoring of AWJD #4 project (ongoing);
- ✓ Maintenance on ACD #10-22-32 main branch (weather permitting);
- ✓ Continued assistance for Houle Wetland Banking application/site preparation (ongoing);
- ✓ Assist staff with construction activities and data collection;
- ✓ Prepare for spring flooding inspections.

MEMORANDUM
Rice Creek Watershed District

To: Board of Managers

Date: 3/18/2013

From: Theresa Stasica

Subject: Office Manager 2/21/2013-3/18/2013

- Coded invoices for payment this month which were reviewed by Phil and sent to Nancy to via an excel spreadsheet.
- Deposited checks.
- Placed orders for supplies as needed.
- Provided minutes for workshops, reviewed and edited regular Board minutes.
- Provide information, assembled and distributed board packets. Organize the board packet as a pdf format for Internet distribution.
- Updated materials on the website.
- Attended board meetings.
- Post board meetings on Youtube.
- Attended staff meetings.
- Receiving and entering permit information new and old, issued permits.
- Provided information requested by the auditors.
- Completed performance review.
- Provide work direction for Regulatory Asst.
- Assisted staff in their daily activities.
- Scanning documents that District receives into Laserfiche.
- Prepared and mailed out proposed rule revision for 45-day comment, did appropriate noticing.
- Maintained filing system.
- Answered phones and assist public.

MEMORANDUM
Rice Creek Watershed District

To: Board of Managers **Date:** 3/18/2013
From: Tara Daun
Subject: Office Regulatory Assistant 2/19/2013-03/18/2013

- Scanned new permit files and recent documents into computer storage (Laserfiche).
- Created and updated review files and new permit files online.
- Collated data on permits with easements to consider creation of a new map layer.
- Issued permits
- Continued a Protocol Guide to index RCWD standard operating procedures
- Worked on website planning.
- Revised and developed webpages.
- Completed 6 month review.
- Worked with BlueThumb materials to send out to partners.
- Completed research for City of Centerville on pond elevation.
- Completed staff training on problem solving.
- Researched and revised lists of media contacts for outreach purposes.

ITEMS FOR DISCUSSION AND INFORMATION

3. April Calendar.

MARCH							APRIL						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2		1	2	3	4	5	6
3	4	5	6	7	8	9	7	8	9	10	11	12	13
10	11	12	13	14	15	16	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27
24	25	26	27	28	29	30	28	29	30				
31													

To: RCWD Board of Managers
 From: Theresa
 Date: March 18, 2013
 Subject: Significant Dates during Month of April 2013

Wednesday, April 3, 5:30 p.m. Advisory Committee Meeting, Lino Lakes City Hall Community Room, Board Liaison Manager Waller

Monday, April 8, 3:30 p.m. Board Workshop
 RCWD District Conference Room

Wednesday, April 10, 9 a.m. Regular Board of Managers Meeting
 at Shoreview City Hall Council Chambers

Wednesday, April 24, 9 a.m. Regular Board of Managers Meeting, Public Hearing on Proposed Rule Revision at Shoreview City Hall Council Chambers

Deadline for submission of per diem claims is April 16